

# भारत का राजपत्र The Gazette of India

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No. 27] NEW DELHI, SATURDAY, JULY 3, 1993/ASADHA 12, 1915

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as  
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गये सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than  
the Ministry of Defence)

गृह मंत्रालय  
(पुनर्वास विभाग)

नई दिल्ली, 14 जून, 1993

MINISTRY OF HOME AFFAIRS

(Rehabilitation Division)

New Delhi, the 14th June, 1993

का.आ. 1395:—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा भारत सरकार गृह मंत्रालय पुनर्वास विभाग में उप सचिव श्री जे. सी. गर्ग को उक्त अधिनियम के द्वारा अथवा उसके अंतर्गत तत्काल प्रभाव से संयुक्त मुख्य बंदोबस्त आयुक्त को सौंपे गए कार्यों का निष्पादन करने हेतु संयुक्त मुख्य बंदोबस्त आयुक्त नियुक्त करती है।

S.O. 1395.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoint Shri J. C. Garg, Deputy Secretary in the Ministry of Home Affairs, (Rehabilitation Division) as Joint Chief Settlement Commissioner for the purpose of performing the functions assigned to such Joint Chief Settlement Commissioner by or under the said Act with immediate effect.

2. यह अधिसूचना सं. 1(1) विशेष कक्ष/ 90-एस. एस. II/एस. दिनांक 31-8-90 के अधिक्रमण में जारी किया गया है।

2. This supersedes notification No. 1(1)/Sp. Cell/90-SS.II/S. dated 31-8-1990.

[सं. 1 (5)/93-बंदोबस्त(क)]

पी.टी. चक्रवर्तन, अवर सचिव

[No. 1(5)/93-Settlement (A)]

P. T. CHACKOCHAN, Under Secy

नई दिल्ली, जून, 1993

का.आ. 1396 :—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास अधिनियम, 1954 (1954 का 44) की धारा 34 उप-धारा (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा निदेश देती है कि उक्त अधिनियम की धारा 24 की उपधारा (4) के अंतर्गत इसके द्वारा प्रयोजनीय शक्तियां गृह मंत्रालय पुनर्वास प्रभाग में उप सचिव श्री जे.सी. गर्ग द्वारा प्रयोज्य होंगी।

2. यह अधिसूचना सं. 1(8) विशेष कक्ष/ 87-एस. एस. II (ख) दिनांक 7-1-1988 के अधिक्रमण में जारी किया गया है।

[सं. 1(5)/93-बंदोबस्त (ग)]

पी.टी. चकोवन, अवसर सचिव

New Delhi, the 14th June, 1993

S.O. 1396.—In exercise of the powers conferred by sub-section (A) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby direct that the powers exercisable by it under Sub-Section (4) of Section 24 of the said Act shall be exercisable by Shri J. C. Garg, Deputy Secretary in the Ministry of Home Affairs, Rehabilitation Division.

2. This also supersedes Rehabilitation Division's Notification No. 1(8)/Spl. Cell/87-SS.II(B) dated 7-1-1988.

[No. 1(5)/93-Settlement (C)]

P. T. CHACKOCHAN, Under Secy.

नई दिल्ली, 14 जून, 1993

का.आ. 1397 :—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 उपधारा (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा निदेश देती है कि उक्त अधिनियम की धारा 33 के अंतर्गत इसके द्वारा प्रयोजनीय शक्तियां गृह मंत्रालय पुनर्वास प्रभाग में उप सचिव श्री जे.सी. गर्ग द्वारा प्रयोज्य होंगी।

2. यह पुनर्वास प्रभाग की अधिसूचना सं. 1(8) विशेष कक्ष/ 87-एस.एस. II (क) दिनांक 7-1-88 के अधिक्रमण में जारी किया गया है।

[सं. 1(5) 93-बंदोबस्त (ख)]

पी.टी. चकोवन, अवसर सचिव

New Delhi, the 14th June, 1993

S.O. 1397.—In exercise of the powers conferred by sub-section (A) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby direct that the powers exercisable by it under Section 33 of the said Act shall be exercisable by Shri J. C. Garg, Deputy Secretary, Ministry of Home Affairs (Rehabilitation Division).

2. This supersedes Rehabilitation Division's Notification No. 1(8) Spl. Cell/87-SS.II(A) dated 7th January, 1988.

[No. 1(5)/93-Settlement (B)]

P. T. CHACKOCHAN, Under Secy.

कार्मिक लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 17 जून, 1993

का.आ. 1398 :—दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (8) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा विशेष न्यायाधीश अहमदाबाद के न्यायालय में श्री के.एच. भाया (सेवानिवृत्त) के विरुद्ध दिल्ली विशेष पुलिस स्थापना नियमित मामला संख्या 1(ए)/88-ए.सी.यू. (4) में अभियोजन का संचालन करने हेतु श्री वीरेन्द्रा सी. शाह अधिवक्ता अहमदाबाद को विशेष लोक-अभियोजक के रूप में नियुक्त करती है।

[संख्या 225/20/92-ए.वी.डी. (II)]

पराग प्रकाश, विशेष कार्य अधिकारी.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 17th June, 1993

S.O. 1398.—In exercise of the powers conferred by Sub-Section (8) of Section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Sh. Virendra C. Shah, Advocate, Ahmedabad as Special Public Prosecutor for conducting prosecution of DSPE Case No. RC-1(A)/88-ACU(IV) against Shri K. H. Bhaya, IPS, the IGP (Crime and Railway) in the Court of Special Judge, Ahmedabad.

[No. 225/20/92-AVD.II]

PARAG PRAKASH, Officer on Spl. Duty

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 15 अप्रैल, 1993

(आयकर)

का.आ. 1399 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "श्री शारदा मठ, दक्षिणेश्वर, कलकत्ता" को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्न-लिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है अर्थात् :—

- (1) कर-निर्धारिती इसकी आय व इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से निम्न-

।कों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर, आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।

यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[अधिसूचना सं. 9267/फा.सं. 197/63/93-आयकर (नि.-I)]

भारत चन्द्र, अवर सचिव

# MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 15th April, 1993

## (INCOME-TAX)

S.O. 1399.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Sarada Math, Dakshineswar, Calcutta" for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9267/F. No. 197/63/93-ITA-I]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 15 अप्रैल, 1993

(आयकर)

का.आ. 1400:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "गणेश जी मंदिर, नई दिल्ली" को कर-निर्धारण वर्ष 1988-89 से 1990-91 तक के लिए निम्नलिखित शर्तों के अधीन रखते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी रकम के लिए इसका संचयन

पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

- (ii) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[अधिसूचना सं. 9268/फा.सं. 197/68/92-आयकर (नि.-I)]

भारत चन्द्र, अवर सचिव

New Delhi, the 15th April, 1993

## (INCOME-TAX)

S.O. 1400.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Ganeshji Mandir, New Delhi" for the purpose of the said sub-clause for the assessment years 1988-89 to 1990-91 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9268/F. No. 197/68/92-ITA-I]

SHARAT CHANDRA, Under Secy

नई दिल्ली, 15 अप्रैल, 1993

(आयकर)

का.आ. 1401:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "गणेशजी मंदिर, नई दिल्ली" को कर-निर्धारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित

शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करों के लिए इसका संचयन पूर्णतया तथा अन्यतया उक्त उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से निम्न तरीकों से इसकी निधि (जैवर-जवाहिरात, कर्नीयर आदि के रूप में प्राप्त तथा रख-रखाव में स्वीच्छक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9269/फा.सं. 197/68/92-आयकर (नि.-I)]

शरत चन्द्र, अधर सचिव

New Delhi, the 15th April, 1993

(INCOME-TAX)

S.O. 1401.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Ganeshji Mandir, New Delhi" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely:—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9269/F. No. 197/68/92-ITA-I]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 26 अप्रैल, 1993

(आयकर)

का.आ. 1402:—आयकर अधिनियम, 1961 (1 का 43) की धारा 10 के खंड (23-ग) के उपखंड द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "फौजे दावूदी बोहरा ट्रस्ट, बम्बई" को कर निध वर्ष 1984-85 से 1989-90 तक के लिए उक्त उप के प्रयोजनार्थ अधिसूचित करती है।

[अधिसूचना सं. 9272/फा.सं. 197/51/92-आय (नि.-I]

शरत चन्द्र, अधर सचिव

New Delhi, the 26th April, 1993

(INCOME-TAX)

S.O. 1402.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies 'Faiz-E-Dawoodi Bohra Trust, Bombay' for the purpose of the said sub-clause for the assessment years 1984-85 to 1989-90.

[Notification No. 9272/F. No. 197/51/92-ITA-I]

SHARAT CHANDRA, Under Secy.

आदेश

नई दिल्ली, 11 जून, 1993

स्टाम्प

का.आ. 1403:—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मै. एम.जी.एफ. (इंडिया) लिमिटेड, नई दिल्ली को मात्र दो लाख, नौ सौ हजार, एक सौ पच्चीस रुपए का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है जो कि उक्त कम्पनी द्वारा जारी किए जाने वाले मात्र दो करोड़, सत्तावन लाख और पचास हजार रुपये के कुल मूल्य के प्रत्येक सौ-सौ रुपये के अंकित मूल्य के 000001 से 2,97,500 तक की विशिष्ट संख्या वाले 14% के 2,97,500 अंशतः सुरक्षित परिवर्तनीय ऋण-पत्रों पर स्टाम्प शुल्क के लिए प्रमाण्य है।

[सं. 18/93-स्टा. फा.सं. 33/26/93-वि. क.]

ठाकुर दत्त, उप सचिव

ORDER

New Delhi, the 11th June, 1993

STAMPS

S.O. 1403.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. M.G.F. (India) Limited, New Delhi to pay consolidated stamp duty of rupees two lakhs, twenty three thousand one hundred and twenty five only, chargeable on account of the stamp duty on issue of 2,97,500—14 per cent secured partly convertible Debentures bearing distinctive num.



2,97,500 of the face value of rupees one hundred each of the aggregate value of rupees two crores, ninety seven lakhs and fifty thousand only to be issued by the said company.

[No. 19/93-Stamp F. No. 33/26/93-ST]

THAKUR DUTT, Dy. Secy.

तथिक कार्य विभाग )

(ग)

जून, 1993

का.आ. — राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना, 1970 के खण्ड 3 के उपखंड (छ) के अनुसरण में केन्द्रीय सरकार, श्री पी.आर. अनन्तरामन, मुख्य अधिकारी, बाह्य निवेश और परिचालन विभाग, भारतीय रिजर्व बैंक, केन्द्रीय कार्यालय, बम्बई को, श्री जी.पी. मुनियाप्पन के स्थान पर, एतद्वारा, इंडियन ओवरसीज बैंक के निदेशक के रूप में नियुक्त करती है।

[सं.एफ 9/13/92 बी.ओ.-1]

के.जी. गोयल, निदेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 14th June, 1993

S.O. 1404.—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri P. R. Anantharaman, Chief Officer, Department of External Investments and Operations, Reserve Bank of India, Central Office, Bombay as a Director of Indian Overseas Bank vice Shri G. P. Muniappan.

[F. No. 9/13/92-B.O.I]

K. G. GOEL, Director

नई दिल्ली, 14 जून, 1993

का.आ. 1405:—निक्षेप बीमा एवं प्रत्यय गारंटी निगम अधिनियम, 1961 (1961 का 47) की धारा 6 की उप-धारा (2) के साथ पठित धारा 6 की उप-धारा (1) के खण्ड (ड.) के उपबंधों के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा, श्री पी.एन. जोशी, अध्यक्ष, यूनाइटेड वेस्टर्न बैंक लि., सतारा, महाराष्ट्र को 14 जून, 1993 से 31 अक्टूबर, 1993 तक अर्थात्, जिस तारीख को उनका यूनाइटेड वेस्टर्न बैंक लि. के अध्यक्ष पद का कार्यकाल पूरा हो जाएगा, निक्षेप बीमा एवं प्रत्यय गारंटी निगम के निदेशक के रूप में नियुक्त करती है।

[एफ सं. 7/2/91-बी.ओ. 1]

के.जी. गोयल, निदेशक

New Delhi, the 14th June, 1993

S.O. 1405.—In pursuance of the provisions of clause (e) of sub-section (1) of section 6 read with sub-section (2) of section 6 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), the Central Government after consultation with the Reserve Bank of India, hereby nominates Shri P. N. Joshi, Chairman, United Western Bank Ltd., Satara, Maharashtra, as a director of the Deposit Insurance and Credit Guarantee Corporation with effect from 14th June, 1993 and upto 31st October, 1993, i.e. the date on which his present term with United Western Bank Ltd. as Chairman expires.

[F. No. 7/2/91-B.O.I]

K. G. GOEL, Director

कोयला मंत्रालय

शुद्धि-पत्र

नई दिल्ली, 7 जून, 1993

का.आ. 1406:—भारत के राजपत्र, तारीख 26 दिसंबर, 1992 के भाग II, खण्ड 3, उपखंड (ii) में पृष्ठ क्रमांक 4643-4644 पर प्रकाशित भारत सरकार, कोयला मंत्रालय की अधिसूचना का.आ. 3138 तारीख 8 दिसम्बर, 1992 में:—

पृष्ठ संख्या : 4643

पंक्ति 1, "(195 का 20)" के स्थान पर "(1957 का 20)" पढ़ें।

पंक्ति 3, "मंत्रालय" के स्थान पर "मंत्रालय" पढ़ें।

पंक्ति 6, "की उपधारा" के स्थान पर "7 की उपधारा" पढ़ें।

पृष्ठ संख्या 4644 अनुसूची में,

"चिरिसिरी क्षेत्र" के स्थान पर "चिरिमिरी क्षेत्र" पढ़ें।

सीमा वर्णन में,

रेखा "ट-ठ-ड-ड" के स्थान पर "ट-ठ-ड-क" पढ़ें।

[सं. 43015/22/90-एल.एस.डब्ल्यू]

बी.बी. राव, अवसर सचिव

MINISTRY OF COAL

CORRIGENDUM

New Delhi, the 7th June, 1993

S.O. 1406.—In the notification of the Government of India in the Ministry of Coal number S.O. 3138 dated 8th December, 1992, published at pages 4643 to 4645 of the Gazette of India, Part-II, Section 3, Sub-Section (ii), dated the 26th December, 1992,—

at page 4644, in the first paragraph, in 1st line, for "S.O. 3180" read "3138" and in 5th line, for "acres approximately by" read "acres approximately".

[No. 43015/22/90-LSW]

B. B. RAO, Under Secy.

## भाषाईक प्रती, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

(भारतीय मानक ब्यूरो)

नई दिल्ली, 1 जून, 1993

का.प्र.1407... :— भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के उपविधम (5) के अनुसार में भारतीय मानक ब्यूरो द्वारा अधि-सूचन करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :

क्र. सं.	लाइसेंस सं. सीएम एल	लागू होने की तारीख	लाइसेंसधारी का नाम	वस्तु/प्रकार	IS सं./भाग
(1)	(2)	(3)	(4)	(5)	(6)
1.	5002736	93-01-16	गोमती केबल इंडस्ट्रीज, 40, जयबीबी रोड, घुसुरी, हावड़ा-711007	पीवीडी रोडिन खोलदार एवं खोलरहित एल्यू-मीनियम और तांबा चालकों वाली केबल	IS 00694:90
2.	5002837	93-01-16	आयमंड सीम मैन्यू. इंड., 31 मुरारी पुकुर रोड, कलकत्ता-700067	दृग्दृष्टन तंतु वाले सामान्य सेवा बल्ब	IS 00418:78
3.	5002938	93-01-16	रायको विस्फुट फं., पा.-बाम डा-जोतराम, जिला-बढ़मान	विस्फुट, मैरी एवं एरोस्ट	IS 01011:82
4.	5003031	93-01-16	विरला टायर (प्रो. केसोराम इंडस्ट्रीज लि.), बाया-कुलडा, जिला-बालासोर (उड़ीसा)	मोटरवाहन यात्रीकार के लिए हवा भरे टायर	IS 10914:85
5.	5003132	93-02-10	आदित्य स्टील इंडस्ट्रीज, डा. तेलंगणपत, कटक, उड़ीसा-753015	उच्च सामर्थ्य विकृत इस्पात के सरिंग	IS 01786:85
6.	5003233	93-02-01	पावरटेक इंजीनियर्स, 392/2 नीलांचल, बिरातो, कलकत्ता-700057	विद्युत बल सड़क और रेल ट्रैकर के लिए रबड़ का होजू, पेट्रोलियम उत्पाद प्रतिरोधी	IS 10733:83
7.	5003334	93-02-01	नीलांचल सीमेंट लि., डा.-बाबिरी, जिला-बोलनगीर, (उड़ीसा)	पोर्टलैंड घातुमल सीमेंट	IS 00455:89
8.	5003435	93-01-01	केबल (इंडिया) प्रा.लि., बी/5, इंड. एस्टेट, बालसीङ (उड़ीसा)- 756001	शिरोपरि रक्षण हेतु सम्पूर्ण एल्यूमीनियम मिश्र-घातु के लड़वार चालक	IS से/भाग IS 00398:79 भाग 4
9.	5003536	93-01-01	नेशनल लॉक फं., पा.-पानटीहाल, डा.-बारगाछिया, जिला-हावड़ा-711404	द्रव चालन द्वारा नियंत्रित डोर क्लोजर	IS 03564:86
10.	5003637	93-02-01	श्री भगवती इंडस्ट्रीज, 4, भूजनधर रोड, निलुह	श्रीतिज उने दुहरे क्लैज वाले लोहे के पाइप	IS 07181:86
11.	5003738	93-02-01	लांगलास्ट पाइप (इंडिया) प्रा.लि., पा.-जगन्नाथपुर, डा.-बामुनारी, बाया-कृष्ण, जगन्नाथपुर	पेय जल आपूर्ति के लिए अक्वास्टेकृत पीपीसी पाइप	IS 04985:88
12.	6004245	93-01-16	एलजी पॉलीटेक्स लि., वेन्नामलायम, डा.-भरासूर, कोयमटूर-641407	सिक्काई पाइपों हेतु पी.ई. पाइप	IS 12786:89
13.	6004846	93-01-16	चामूडी स्टील रि-रोलिंग मिल्स, 7वां मील हीसूर रोड, बलौर-560068	वेन्डनीय इस्पात	IS 02062:84
14.	6004942	93-01-16	महावीर स्टील रोलिंग मिल्स, 1-9-8 आर्ष डा ए, आजमाबाद, हैदराबाद	मृदु इस्पात के गोल सरिंग	IS 00226:75
15.	6005040	93-01-16	ग्रिम इंजीनियरिंग फं., 221, नेलाणी, मेन रोड, बीबीकुलम, मदुरै (तमिलनाडु)	गैर दाब स्टाक	IS 02980:86
16.	6005242	93-01-16	नाथराजा प्रेसिंग, 34-ए, अन्नमाराजानगर, शंकरनकोविल रोड, राजापलायम (तमिलनाडु)- 626117	गैरदाब स्टाक	IS 02980:86

(1)	(2)	(3)	(4)	(5)
17. 6005242	93-01-16	आर.जे. मैटल्स प्रा. लि., 7-वीं, बोडली, कुन्हा हंड. एरिया, प्लॉट फॉर रोड, बंगलौर-560048	एच.एल.डी. इस्पात	IS 01786: 85
18. 6005343	93-01-16	पोल्तेरो स्टल इंड., ज. एन.टी. रोड, पेरावेल्लोम, तापूर कोट रोड के पास, चेंगई अर्न्ना जि. (तमिलनाडु)-601204	एच.एल.डी. इस्पात	IS 01786: 85
19. 6005444	93-01-16	दीपा पम्पस, 292/2-वीं, पटेल चैन्तण हंड. एस्टेट, हेमनहल्ली, पीनया के पास, दूसरी स्टेज, बंगलौर।	निमज्जय पम्प जेट	IS 08034: 89
20. 6005545	93-01-16	श्री लक्ष्मी पदमावती एम्प्लॉयनियम इंडस्ट्रीज, माइक्रोवेव स्टेशन के सामने, बारसावाडी रोड, मंडला (कर्नाटक) 571401	बरवाजे के हथिये	IS 00208: 87
21. 6005646	93-01-16	कर्नाटक सीमेंट लि., चिन्तापुर, गुलबर्गा जिला-गुलबर्गा, (कर्नाटक)-585221	साधारण पोर्टलैंड सीमेंट	IS 00269: 89
22. 6005747	93-01-16	कपेनियन प्लास्टिक इंडस्ट्रीज (प्रा.) लि., 1 जयन्तावन रोड, ननुगाम्बक्कम, मद्रास-600034	प्लास्टिक सामान्यस्थायी उत्पादक बालक	IS 12234: 89
23. 6005848	93-01-16	श्री लक्ष्मी पदमावती एम्प्लॉयनियम इंडस्ट्रीज, माइक्रोवेव स्टेशन से सामने, बारसावाडी रोड, मंडला (कर्नाटक) 571401	टावर काबले	IS 00204: 82 भाग: 02
24. 6005949	93-01-16	खेतान कैमोकल्स, 20-1-305 कोकाटास्टा, हेबराबाद-500264	परले धुलाई के डिस्ट्रेंट पाउडर	IS 04955: 82
25. 6006042	93-01-16	जेम केयल्स एंड कंस्ट्रक्शंस लि., भिकुल प्रा., पाननचेक समिति मेडक जिला (आ.प्र.)	एलपीडी कैबल	IS 07098: 88 भाग: 01
26. 6006143	93-02-01	सीता स्प्रिंग्स एंड स्टील्स लि., श्रीधरीपाट्टू प्रा., पोनेरी तालुक, चेंगलपुट्ट जिला (तमिलनाडु) 601203	नैमिनेट्ट पत्ती कमानी, एसेम्बली	IS 01135: 84
27. 6006244	93-02-01	नावा कर्नाटक स्टील्स लि., अगंस्तपुर रोड, विमिलाहल्ली प्रा., धलेरी जिला (कर्नाटक) 583101	एमएससी सरिफ	IS 01796: 86
28. 6006345	93-02-01	प्रेम एंटरप्राइजेज, 28-सी, दूसरा फज पीनया हंड एरिया, बंगलौर-560058	बीएजोएम टाइप गहराई से पानी निकालने वाले हैण्डपम्प	IS 13056: 91
29. 6006446	93-02-01	त्रि इंग्लिश इलेक्ट्रिक कं., आफ इंडिया लि., प्लॉट नं. 46, मिपकोट इंड. कॉम्प्लेक्स, होसूर (तमिलनाडु) 6315126	धारमीओ परिपथ विगोजक	IS 12640: 88
30. 6006547	93-02-01	वि नेशनल प्रॉडक्ट्स, 135 कैबल वायरोल्ड, बंगलौर-560032	मिश्राई को गोशिया	IS 01008: 81
31. 6006648	93-02-01	इंस्ट्रुमेन्टेशन लि., बांभीकोड (पश्चिम) जिला-पालघाट केरल-678623	उत्पादन विद्युत के खोल	IS 02148: 81
32. 6006749	93-02-01	कर्नाटक वाटर पम्पस (प्रा.) लि., 13-बी, स्टडीबेले हंड. एरिया, नगरालूर आ., अनीकल तालुक, बंगलौर जिला	बीएजोएम टाइप गहराई से पानी निकालने वाले हैण्डपम्प	IS 13056: 91

(1)	(2)	(3)	(4)	(5)	(6)
33. 6006950	93-02-01	राजी इंडस्ट्रीज, 2-113 पीतम्पुर रोड, रामन्यापेटा, काकोनाडा, काकोनाडा (घा.प्र.)	हस्तवृणी मुरकन यंत्र	IS 05135: 74	भाग : 01
34. 6006951	93-02-01	राजी इंडस्ट्रीज, 2-112 पीतम्पुर रोड, रामन्यापेटा काकोनाडा, काकोनाडा (घा.प्र.) 533009	हस्तचालित बिलोडन दाढ़ा छिड़काव यंत्र	IS 01971: 88	
35. 7006532	93-01-16	शाह इंडस्ट्रीज, जीआईसी, उदयपुर, कुकारवाडा जि., मेहसाणा	वेल्डनीय संरचना हस्तान	IS 02062: 84	
36. 7006533	93-01-16	राजकिशन इस्पात लि., सी-7, एमआईसी तापोडा, रायगढ़ जिला	वेल्डनीय संरचना हस्तान	IS 02062: 84	
37. 7006754	93-03-16	एचन सर्विसिज (पी एंड ए) प्रा. लि., 201, भारत इंड. एस्टेट, टी.जे. रोड, स्प्री, बम्बई-400015	मुद्राय रासायनिक शाग टाइप प्रिनिंगमक	IS 00933: 78	
38. 7006885	93-01-16	बैलब्राउन कैमीकल्स प्रा. लि., साइडसिटी, चोपडा, बाण्डू तालुक, कच्छजि (गुज)	रासायनिक उद्योग के लिए तरक	IS 00797: 82	
39. 7006956	93-01-16	एचन सर्विसिज (पी एंड ए) प्रा. लि., 201 भारत इंड. एस्टेट, टी.जे. रोड, स्प्री, बम्बई-400016	मुद्राय प्रिनिंगमक, मुद्रा पाउडर टाइप	IS 02171: 85	
40. 7007049	93-01-16	गौरव एचो प्लास्ट प्रा. लि., एच-1, एमआईसी एरिया, तारापुर-बायासर रोड, जिला-ठाणे	जय प्राप्ति हेतु इंजेक्शन संयुक्त पीवीसी साकेट किटिंग थिनायक सीमेंट मोड	IS 07834: 87	भाग 05
41. 7007150	93-01-16	फिक्सो लाइट वायर एंड केबल्स प्रा. लि., प्लॉट नं. एक-132, एमआईसी-ग्रामाड, नामिक-422010	जल प्राप्ति हेतु इंजेक्शन संयुक्त पीवीसी साकेट	IS 00694: 90	
42. 7007251	93-01-16	गोपनी टिन कंटेनर्स, महेन्द्र सिंह जी हास्पिटल, बोराबोंग, छुट्ट रोड, मोरवी-2	बनस्पति और खाद्य टेनो लिए 15 किग्रा. के चौकोर कनस्तर	IS 10325: 89	
43. 7007352	93-01-16	जय टिन मैन्युफैक्चरर्स, छामडोल रोड, किरन एंड कंपनी, जुनागढ़-362001	बनस्पति और खाद्य टेनो के लिए 15 किग्रा. के चौकोर कनस्तर	IS 10325: 89	
44. 7007453	93-01-16	ओभास टेक्नोकैम प्रॉडक्ट्स लि., मर्वे नं. 359, घा. नोयना तालुक-सावली, बड़ोदरा जिला-391780	जलमृ और नवीमृ बनाने के लिए प्रिन्टिंग	IS 0122: 82	
45. 7007554	93-01-16	ओभास टेक्नोकैम प्रॉडक्ट्स लि., मर्वे नं. 359, घा. नोयना, तालुक-सावली, बड़ोदरा जिला-391780	औद्योगिक प्रिन्टिंग	IS 00702: 83	
46. 7007655	93-01-16	मॉडर्न सीमेंट इंडस्ट्रीज लि., कलोल, पंथर हनुबे, पोपरपुरा, गंधर तालुक, पंचमहल जिला	33 ग्रेड माथारुप पोर्टलैंड सीमेंट	IS 00360: 81	
47. 7007756	93-01-16	राजि फर्टिलाइजर्स लि., प्लॉट नं. डी-21/2-1, एमआईसी इंड. एरिया, तारापुर, तालुक-गान्धर, ठाणे जिला	एन्डोसल्फान	IS 04323: 89	
48. 7007857	93-01-16	राजि फर्टिलाइजर्स लि., प्लॉट नं. डी-21/2-1, एमआईसी इंड. एरिया, तारापुर, तालुक-गान्धर ठाणे जि	मोसोफोस्फोस	IS 08074: 90	
49. 7007958	93-02-01	राजि फर्टिलाइजर्स प्रा. लि., एक-8, डी-रोड, एमआईसी, अम्नाड, नामिक-422010	अवशिष्ट द्वारा प्रचालित पर्याय विद्युत प्रक	IS 12640: 88	

(1)	(2)	(3)	(4)	(5)	(6)
50. 7008051	93-02-01	मिक्सोलाइट वायर्स एंड केबल्स प्रा. लि., प्लॉट नं. एफ-132, एमआईडीसी, ग्राम्बाट, नासिक-422010	पीबीसी रोहित (हैवी इयूटी) बिजली की केबल	IS 01554: 88 भाग : 01	
51. 7008152	92-02-01	नर्मदा फूड कलर्स प्रा. लि., प्लॉट नं. 282, ग्राम-कोडेंज (नवगाम), भावनगर राजकोट रोड, भावनगर जिला-364060	टाइट्रोजिन, खाद्य ग्रेड	IS 01694: 74	
52. 7008253	92-02-01	नर्मदा फूड कलर्स प्रा. लि., प्लॉट नं. 282, ग्राम-कोडेंज (नवगाम), भावनगर-राजकोट रोड, भावनगर जिला-364060	सनसैट पीला एफसीएफ, खाद्य ग्रेड	IS 01695: 74	
53. 7008354	93-02-01	बालाजी भार्गवो स्पन पाइप इंडस्ट्रीज, प्लॉट नं. डी-64, एमआईडीसी एरिया, नदिह 431603	कंकट गहता (प्रबलन सहित और रहित)	IS: 00458: 88	
54. 7008455	93-02-01	नर्मदा फूड कलर्स प्रा. लि., प्लॉट नं. 282 ग्राम-कोडेंज (नवगाम) भावनगर-राजकोट रोड, भावनगर-364060	पोनसू 4 भार, खाद्य ग्रेड	IS: 02558: 74	
55. 7008556	93-02-01	नर्मदा फूड कलर्स प्रा. लि., प्लॉट नं. 282 ग्राम-कोडेंज (नवगाम) भावनगर-राजकोट रोड, भावनगर जि.	कार्बोमिन, खाद्य ग्रेड	IS: 02923: 74	
56. 7008657	93-02-01	इस्पान प्रोफाइल्स इंडिया लि. सनासबाड़ी तालुक-शिरूर जि.-पुणे	संरचना इस्पान (मालक किस्म)	IS: 00226: 75	
57. 7008758	93-02-01	इस्पान प्रोफाइल्स इंडिया लि., सनासबाड़ी तालुक-शिरूर जि.-पुणे	बहुस्तरीय संरचना इस्पान	IS: 02062: 84	
58. 7008859	93-02-01	इस्पान प्रोफाइल्स इंडिया लि., सनासबाड़ी तालुक-शिरूर जि.-पुणे	इरिग्रेसिन खाद्य ग्रेड	IS: 01697: 74	
59. 7008960	93-02-01	इस्पान प्रोफाइल्स इंडिया लि., सनासबाड़ी तालुक-शिरूर जि.-पुणे	कोलनार खाद्य रंग निर्मितियां और ठोस	IS: 05346: 75	
60. 7009053	93-02-01	गुजरात इलेक्ट्रिकल वर्क्स, 924/1 जीआईडीसी, बघोडिया, बड़ीदा-391760	टंगस्टन तंतु सामान्य सेवा बल्ब	IS: 00418: 78	
61. 8006658	93-01-16	बायाजी एंटरप्राइज, 346, मेनरोड, ग्राम-बुरारी, नई दिल्ली-110009	घरवाजे के लिए मिसकने वाले काषणे	IS: 00281: 91	
62. 8006759	93-01-16	स्वास्तिर कटेनर्स प्रा. लि., बी-41, सेक्टर 9, नौएडा (जि.-गाजियाबाद)	15 किग्रा. के चीकोर कनस्तर	IS: 10325: 89	
63. 8006860	93-01-16	बन्धना सीमेंट्स प्रा. लि., ग्राम-बोरकुई, जि.-अंधार (म.प्र.)	साधारण पोर्टलैंड सीमेंट	IS: 00269: 89	
64. 8006961	93-01-16	बन्धना सीमेंट्स प्रा. लि., ग्राम-बोरकुई, जि.-अंधार (म.प्र.)	पोर्टलैंड घातुमल सीमेंट	IS: 00455: 89	
65. 8007054	93-01-01	सूर्या रोशनी लि., जे-789 मालनपुर इंड. एरिया, मालनपुर जि.-भिंड	सामान्य प्रकाश प्रयोजनों के लिए मलिकाकार क्वोरेसैन्ट लेम्प	IS: 02418: 77 भाग : 01	

(1)	(2)	(3)	(4)	(5)	(6)
66.	8007155	93-01-16	बन्ना सीमेंट लि., प्रा.—पमियासिंह, कोटपुतली जि.—जयपुर	साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
67.	8007256	93-01-16	शालूदेव इंडस्ट्रीज, प्लॉट-97/1ए रमेश पार्क, लक्ष्मीनगर, दिल्ली-110092	एक फीजी छोटी एसी मोटर	IS : 00996 : 79
68.	8007357	93-01-16	बोधग कंटेनर्स एंड बिल्डर्स (प्रा.) लि., 162-163 निक्को हंड एरिया, ग्यावर (राज.)-305901	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
69.	8007458	93-01-16	श्रवण सीमेंट (प्रा.) लि., ई-5 हंड. एरिया, मिहरोर, जि.—अलवर-301701	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
70.	8007559	93-01-16	मॉडर्न हाउसिंग एंड बनेट मैनु. सी-177 मायापुरी, फेज 2, नई दिल्ली-110064	मृत्तु इस्पात के टी कब्जे	IS : 00206 : 81
71.	8007660	93-01-16	बी. डी. बन्ना एंड सन, सी-80/3 बजीरपुर हंड एरिया, दिल्ली-110052	15 किमा के बीकोर कलस्तर	IS : 10325 : 89
72.	8007761	93-01-16	विश्वम मुपर सीमेंट, ब्रा.—खोर विश्वमनगर, जि. मंदसौर (म.प्र.) 458470	43 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 08112 : 89
73.	8007862	93-01-16	रॉकवेल पंपस एंड मोटर्स (प्रा.) लि., 15 राजिंदर नगर हंड एरिया, मोहन नगर, गाजियाबाद-201007	निमज्जम पंपमेट	IS : 08034 : 89
74.	8007963	93-01-16	सी. एस. प्रिंसीजन टूलस (इंडिया) रजि., 303/2 धानसिंह नगर आनंद पर्वत, नई दिल्ली-110005	बिजली की इस्तरी, तापस्वापी सहित एल्युमीनियम की तल प्लेट वाली	IS : 00366 : 85
75.	8008056	93-01-16	विनर इंडिया, 9082 गली जमीर वाली, नबाब गंज, दिल्ली-110006	बिजली की इस्तरी, तापस्वापी सहित, एल्युमी- नियम की तल प्लेट सहित	IS : 00366 : 85
76.	8008157	93-01-01	मैक (इंडिया) इंडस्ट्रीज बी-34/9, जी. टी. करनाल रोड, दिल्ली-110033	एल्युमीनियम मिश्रधातु के कब्जे	IS : 00205 : 78
77.	8008258	93-01-01	आनन्द इंडस्ट्रीज (भाटो लैम्पस डिब्बीज) 9 कॉप हंड एस्टेट, सहारनपुर रोड, वेहरादून-248001	टंगस्टन तंतु वाले सामान्य सेवा बल्ब	IS : 00418 : 78
78.	8008359	93-02-01	श्री सीमेंट लि., बनगौर नगर, प्रा.—अधोरी देवरी के पास, पो. बा. नं. 33 ग्यावर (राज.) 305901	43 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 08112 : 89
79.	8008460	92-01-16	पीसीडी एक लि., (यूनिट : फीडर विलेसिंह डेयरी) परसापुर गंगोल रोड, मेरठ	दूध पाउडर	IS : 01163 : 92
80.	8008561	93-02-01	भारत रबड़ उद्योग, खसरा नं. 570, प्रा.—बाकोली, अलीपुर के पास, दिल्ली-110036	बॉलिंग के लिए रबड़ होज सांकेतिक बोरे	IS : 00447 : 88
81.	8008662	93-02-01	ननगरू प्लास्टिक इंडस्ट्रीज, 63/1, शिवमंदिर, मार्ग, नांगलोई, दिल्ली-110 041	स्कूटर और मोटर साइकिल सवारों के लिए हेलमेट	IS : 04151 : 82
82.	8008763	93-02-01	शिव शक्ति पावर इंडस्ट्रीज, 5-4 किमी मेरठ रोड, मुजफ्फरनगर (उ.प्र.)-251 003	एन्जोसल्फान ईसी 35 %	IS : 04323 :

(1)	(2)	(3)	(4)	(5)	(6)
83.	8008864	93-02-01	यूमेटियर्स एंड स्विचगैयर्स (इंडिया) प्रा. लि., प्लाट नं. 7, पीनमपुर, सेक्टर-2, हिल्दाप, पीनमपुर जि—धर (म.प्र.)	फ्लोरोसेन्ट लैम्प के लिए इलेमल बल्ब तबले तार वाले स्थिर स्टार्ट परिपथ हेतु बेलास्ट	IS : 01534 : 77
84.	8008965	93-02-01	ज्योति रबड़ उद्योग (इंडिया) प्रा. लि., ए-108, सेक्टर 5, नोएडा, जि—गाजियाबाद-201301	मलबूषण और निकास हेतु रबड़ के होज, टैवी ब्यूटी	IS : 03549 : 83
85.	8009058	93-02-01	ज्योति रबड़ उद्योग (इंडिया) प्रा. लि., ए-108, सेक्टर 5, नोएडा, जि—गाजियाबाद-201301	बालू विस्फोटन हेतु रबड़ के होज	IS : 05894 : 80
86.	9007363	93-01-01	मॉडर्न स्प्रेंग (प्रा.) लि., पंचम कोरड स्टोरेज, के पास, जी.टी. रोड, बुधियाणा।	नैपसैक छिड़काव यंत्र	IS : 03906 : 82
87.	9007463	93-01-16	मिशालिक एग्रो केमिकल्स, बी-59, फेज 7, इंड फोकल प्वाइंट, मोहाली	कृषि कीट नाशक—मैलापियान डम्बू डीपी 25 %	IS : 02569 : 78
88.	9007564	92-02-01	मेट्रो इंजीनियरिंग वर्क्स, हाइवाय, फगवाड़ा-144402	स्विच (घरेलू और ऐसे ही)	IS : 03854 : 88
89.	9007665	93-02-01	रजत इंडस्ट्रीज, I 12 इंड डब कोलोनी, हिमार्, हरियाणा	15 किश के भीकोर कनस्तर	IS : 10325 : 89
90.	9007766	93-02-01	भारत फर्टिलाइजर्स मैनु. कं., बी-9, फोकल प्वाइंट, कोटकपूरा (प्र) बी 151204	कृषि ग्रेड शिक मल्फेट	IS : 08249 : 78
91.	9007867	93-02-01	हिन्द बाल्वस, (इंडिया), 1047, हिन्द रोड, इंड एरिया, गान्धर नगर-144004	गेट श्वोव और चैक बाल्व	IS 00778 : 84
92.	9007968	93-02-01	ओरियन इंजीनियरिंग वर्क्स, बी-13, इंड. फोकल प्वाइंट	नैपसैक छिड़काव यंत्र पिस्टन टाइप	IS : 03906 : 82

[के. प्र. वि. 13 : 11]

एन. श्रीनिवासन, चयर महानिदेशक

## MINISTRY OF CIVIL SUPPLIES CONSUMER AFFAIRS &amp; PUBLIC DISTRIBUTION

## BUREAU OF INDIAN STANDARDS

New Delhi, the 1st June, 1993

S.O. 1407.—In pursuance of sub-regulation (5) of the Bureau of Indian Standards (certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

## SCHEDULE

Sl. No.	CM/L No.	Operative Date	Name & Address of the Party	Article/Process covered by the licence	IS: No./Part
1	2	3	4	5	
1.	5002736	93-01-16	Gomoti Cable Industries, 40, Jai Bibi Road Ghusuri Howrah-711007	PVC insulated sheathed & unsheathed cables, aluminium and copper conductor	IS 00694 : 90
2.	5002837	93-01-16	Diamond Lamps Mfg. Inds., 31, Murari Pukur Road Calcutta-700067	Tungsten filament general service electric Lamps	IS 00418 : 78

1	2	3	4	5
3. 5002938	93-01-16	Royco Biscuit Co., Village Bam PO Jotram Distt. Burdwan	Biscuit, marie & thin arrowroot	IS 01011 : 92
4. 5003031	93-01-16	Birla Tyres (Prop : Kesoram Industries Ltd.) PO Chhanpur Via Kuruda Distt. Balasore (Orissa)	Pneumatic tyres for automotive vehicles passenger car tyres	IS 10914 : 85 Part : 03
5. 5003132	93-02-01	Aditya Steel Industries, PO Tellingapanth Cuttack (Orissa)-753015	High strength deformed steel bars	IS 01786 : 85
6. 5003233	93-02-10	Powortech Engineers, 392/2, Nilachal Biratl Calcutta-700051	Electrically bonded road & rail tanker Hose of rubber, resistant to petroleum products	IS 10733 : 83
7. 5003334	93-02-01	Noelachal Cement Ltd., Vill. Dabiri PO Kantabanji Distt Bolangir (Orissa)-767039	Portland slag cement	IS 00455 : 89
8. 5003435	93-01-01	Cables (India) Pvt. Ltd., B/5, Indl. Estate, Balasore (Orissa)-756001	All Aluminium alloy stranded conductors for overhead transmission purpose	IS 00398 : 79 Part : 04
9. 5003536	93-01-01	National Lock Co., Vill : Pantihal PO Bargachia, Distt Howrah-711404	Hydraulically regulated door closers	IS 03564 : 86
10. 5003637	93-02-01	Shree Bhagwati Industries, 4, Bhujangadhar Roa, Liluah	Horizontally cast iron double flanged pipes	IS 07181 : 86
11. 5003738	93-02-01	Longlast Pipes (India) Pvt. Ltd., Vill : Jagannathpur, PO Bamunari, Via Rishra, Jagannathpur (WB)-712248	Unplasticized PVC pipes for potable water supplies.	IS 04985 : 88
12. 6004745	93-01-16	Elgi Polytex Limited., Thennampalayam, Arasur Post Coimbatore-641407	P.E. Pipes for irrigation laterals	IS 12786 : 89
13. 6004846	93-01-16	Chamundi Steel Rerolling Mills, 7th Mile, Hosur Road, Bangalore-560068	Weldable steel	IS 02062 : 84
14. 6004947	93-01-16	Mahavir Steel Rolling Mills, 1-9-8, IDA, Azamabad, Hyderabad-500020	Mild Steel rounds	IS 00226 : 75
15. 6005040	93-01-16	Prince Engineering Co., 221, Nethaji Main Road, Bibihulam, Madurai (TN)	Non pressure stoves	IS 02980 : 86
16. 6005141	93-01-16	Nagaraja Pressing, 34-A, Annamaraja Nagar, Sankarankovil Road, Rajapalayam (TN)-626117	Non pressure stoves	IS 02980 : 86
17. 6005242	93-01-16	R.J. Metals Pvt. Ltd., 7-B, Doodankundi Indl. Area, Whitefield Road, Bangalore-560048	HSD steel bars	IS 01786 : 85



1	2	3	4	5
18. 6005343	93-01-16	Ponneri Steel Inds., G.N.T. Road, Peravellore Village, Near Tachur Koot Road, Chengai-Anna Distt (TN) 601204	HSD steel bars	IS 01786 : 85
19. 6005444	93-01-16	Deepa Pumps, 292/B, Patel Channappa Indl., Estate, Hegganahalli Near Peenya, 2nd Stage, Bangalore-560058	Submersible Pumpsets	IS 08034 : 87
20. 6005545	93-01-16	Sree Lakshmi Padmavathi Aluminium Inds., Opp. Microwave Station, Karsavadi Road, Mandya (Karnataka)-571401	Door Handles	IS 00208 : 87
21. 6005646	93-01-16	Karnataka Cement Ltd., Chithapur, Gulbarga, Distt. Gulbarga (Karnataka)-585211	Ordinary Portland Cement	IS 00269 : 89
22. 6005747	93-01-16	Companion Plastic Industries (P) Ltd., 1, Jagannathan Road, Nungambakkam, Madras-600034	Plastic equilibrium float valve	IS 12234 : 88
23. 6005848	93-01-16	Sree Lakshmi Padmavathi Aluminium Industries Opp. Microwave Station, Karsavadi Road, Mandya Mandya (Karnataka)-571401	Tower Bolts	IS 00204 : 92 Part : 02
24. 6005949	93-01-16	Khetan Chemicals, 20-1-305, Kodkatatti, Hyderabad-500264	Household laundry detergent powders	IS 04955 : 82
25. 6006042	93-10-16	Gem Cables & Conductors Ltd., Chitkul Village, Pattancheru Samiti Medak Distt. (AP)	LPE Cables	IS 07098 : 88 Part : 01
26. 6006143	93-02-01	Ceeta Springs & Steels Ltd., Athipattu Village, Ponneri Taluk Chingleput Distt. (TN)-601203	Laminated Leaf Spring Assembly	IS 01135 : 84
27. 6006244	93-02-01	Nava Karnataka Steels Ltd., Ananta Pur Road, Bisilahalli Village, Bellary Distt. (Karnataka) 583101	HSD Steel Bars	IS 01786 : 85
28. 6006345	93-02-01	Prem Enterprises 28-C, Second Phase, Peenya Indl. Area, Bangalore-560058	Vlom type deepwell hand pumps	IS 13056 : 91
29. 6006446	93-02-01	The English Electric Co. of India Ltd. Plot No. 46, Sipcot Ind.. Complex, Hosur (TN)-635126	Rco circuit breakers	IS 12640 : 88
30. 6006547	93-02-01	The National Products 135, Kaval Byrasandra Bangalore-560032	Hard oiled sugar confectionery	IS 01008 : 81
31. 6006648	93-02-01	Instrumentation Ltd., Kanjikode (West) Distt. Palghat (Kerala)-678623	Flame proof electrical enclosure	IS 02148 : 81

1	2	3	4	5
32. 6006749	93-02-01	Karnataka Water Pumps (Pvt.) Ltd., 13-B, Attibele Indl. Area, Neralur Post, Anekal Taluk, Bangalore Distt. 562107	Vlom Deepwell Hand	IS 13056 : 91
33. 6006850	93-02-01	Raki Industries, 2-113, Pithapuram Road Ramannayyapeta Kakinada Kakinada (AP) 533009	Hand rotary duster	IS 03135 : 74 Part : 01
34. 6006951	93-02-01	Raki Industries 2-279, Pithapuram Road Ramannayyapeta, Kakinada (AP) 533009	Hand operated stirrup type sprayer	IS 01971 : 88
35. 7006552	93-01-16	Shah Industries, GIDC Ubkhal Kukarwada Distt Mehsana	Weldable structural steel	IS 02062 : 84
36. 7006653	93-01-16	Ramkishan Ispat Ltd., C-7, MIDC, Taloja, Raigad Distt.	Weldable structural steel	IS 02062 : 84
37. 7006754	93-01-16	Avod Services (P & A) Pvt. Ltd., 201, Bharat Indl. Estate, T.J. Road, Sewree Bombay 400015	Portable chemical foam fire extinguisher	IS 00933 : 76
38. 7006855	93-01-16	Wellbrines Chemicals Pvt. Ltd., Salt City Chopadva Bhachau Taluka Kutch Distt. (Guj.)	Common salt for chemical industries	IS 00797 : 82
39. 7006956	93-01-16	Avon Services (P&A) Pvt. Ltd. 201, Bharat Indl. Estate, T.J. Road, Sewree Bombay 400015	Portable fire extinguishers, dry powder (cartridge type)	IS 02171 : 85
40. 7007049	93-01-16	Gaurav Agro-Plast Pvt. Ltd., L-1, MIDC Area, Tarapur Boisar Thane Distt.	Injection moulded PVC socket fittings sol- vent cement joints for water supplies	IS 07834 : 87 Part : 05
41. 7007150	93-01-16	Fixo-Lite Wires & Cables Pvt. Ltd., Plot No. F-132, MIDC, Ambad Nasik 422010	PVC insulated cables for working voltages upto and including 1100 V	IS 00694 : 90
42. 7007251	93-01-16	Gayatri Tin Containers Opp. Mahendrashinji Hospital, Vorabuag Ghuntu Road, Morbi-2	15 Kg square tins for vanaspati and edible oils	IS 10325 : 89
43. 7007352	93-01-16	Jai Tin Manufacturers, Khamdhrol Road, Near Kiran Indis., Junagadh 362001	15 Kg Square tins for vanaspati and edible oils	IS 10325 : 89
44. 7007453	93-01-16	Odas Technochem Products Ltd. Survey No. 354 Village Poicha (R) Tal. Savli Vadodara Distt. 391780	Bitumen felts for water proofing and damp- proofing	IS 01322 : 89

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45. 7007554	93-01-16	Ojas Technochem Products Ltd., Sutvey No. 354 Village Poicha (R) Tal. Savli Vadodara Distt. 391780	Specification for industrial bitume	IS 01701 : 38
46. 7007655	93-01-16	Modern Cement Industries Ltd., Kalol Gadhra Highway Popatpura Gadhra Taluka Panchmahals Distt.	Ordinary portland cement 33 grade	IS 01269 : 89
47. 7007756	93-01-16	Raashi Fertilizers Ltd., Plot No. D-21/2-1 MIDC Indl. Area Tarapur Taluka Palghar Thane Distt.	Endosulfan EC	IS 04323 : 80
48. 7007857	93-01-16	Raashi Fertilizers Ltd., Plot No. D-21/2-1 MIDC Indl. Area Tarapur Taluka Palghar Thane Distt.	Monocrotophos SL	IS 08074 : 90
49. 7007958	93-02-01	Datar Switchgear Pvt. Ltd., F-8, D-Road, MIDC, Ambad Nasik 422010	Residual current operated circuit breakers	IS 12540 : 88
50. 7008051	93-02-01	Fixolite Wires & Cables Pvt. Ltd., Plot No. F-132 MIDC, Ambad Nasik 422010	PVC insulated (heavy duty) electric cables	IS 01554 : 88 Part : 11
51. 7008152	93-02-01	Narmada Food Colours Pvt. Ltd., Plot No 282. Village Karded (Navgam) Bhavnagar-Rajkot Road Bhavnagar Distt. 364060	Tartrazine, Food Grade	IS 00996 : 79
52. 7008253	93-02-01	Narmada Food Colours Pvt. Lt., Plot No. 282 Village Karded (Navgam) Bhavnagar.Rajkot Road Bhavnagar Distt. 364060	Sunset Yellow Fcf, Food Grade	IS 00694 : 90
53. 7008354	93-02-01	Balaji R.C.C. Spun Pipe Industries Plot No. D-64, MIDC Area Nander 431603	Concrete pipes (with and without reinforcement).	IS 00458 : 88
54. 7008455	93-02-01	Narmada Food Colours Pvt. Ltd., Plot No. 282 Village Kardej (Navgam) Bhavnagar Rajkot Road Bhavnagar Distt 364060	Ponceau 4R, Food Grade	IS 02558 : 74
55. 7008556	93-02-01	Narmada Food Colours Pvt. Ltd., Plot No. 282 Village Kardej (Navgam) Bhavnagar Rajkot Road Bhavnagar Distt 364060	Carmoisine, Food Grade	IS 02923 : 74
56. 7008657	93-02-01	Ispat Profiles India Ltd., Sanaswadi Taluka Shirur Pune Distt.	Structural steel (standard quality)	IS 00926 : 75
57. 7008758	93-02-01	Ispat Profiles India Ltd., Sanaswadi Taluka Shirur Pune Distt.	Weldable structural steel	IS 02062 : 84

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58. 7008859	93-02-01	Narmada Food Colours Pvt. Ltd., Plot No. 282 Village Kardej (Navgam) Bhavnagar Rajkot Road Bhavnagar Distt 364060	Erythrosine, Food Grade	IS 01697 : 74
59. 7008960	93-02-01	Narmada Food Colours Pvt. Ltd., Plot No. 282 Village Kardej (Navgam) Bhavnagar-Rajkot Road Bhavnagar Distt. 364060	Coaltar food colour preparation and solids only	IS 05346 : 75
60. 7009053	93-02-01	Gujarat Electrical Works 924/1, GIDC Vaghodia Baroda 391760	Tungsten Filament general service electric Lamps	IS 00418 : 78
61. 8006658	93-01-16	Balaji Enterprises 346, Main Road Village Burari New Delhi-110009	Sliding Door Bolts	IS 00281 : 91
62. 8006759	93-01-16	Swastik Containers Pvt. Ltd., B-41, Sector 9 Noida Distt. Ghaziabad	15 Kg square tins	IS 10325 : 89
63. 8006860	93-01-16	Vandana Cement s Pvt. Ltd., Village Borkui Teh : Kukshi Distt. Dhar (MP)	Ordinary portland cement	IS 00269 : 89
64. 8006961	93-01-16	Vandana Cements Pvt. Ltd., Village Borkui Teh. Kukshi Distt. Dhar (MP)	Portland slag cement	IS 00455 : 89
65. 8007054	93-01-01	Surya Roshni Ltd., J-789, Malanpur Indl. Area Malanpur Distt. Bhind	Tubular fluorescent lamps for general lighting purposes	IS 02418 : 77 Part : 01
66. 8007155	93-01-16	Chandra Cement Ltd., Village Paniyala Kotputli Distt. Jaipur	Ordinary portland cement	IS 00269 : 89
67. 8007256	93-01-16	Sahded Industries, R-97/1A, Ramesh Park Laxmi Nagar Delhi-110092	Single phase small AC motor	IS 00996 : 79
68. 8007357	93-01-16	Bothra Contractors & Builders (P) Ltd., 162-163, RIICO Indl. Area, Beawer (Raj) 305901	Ordinary portland cement grade 33	IS 00267 : 87
69. 8007458	23-01-16	Shravan Cement (P) Ltd., E-5, Indl. Area Behror Distt. Alwar 301701]	Ordinary portland cement grade 33	IS 00269 : 89
70. 8007559	93-01-16	Modern Hardware & Bucket Mfg. Co., C-177, Mayapuri Phase II New Delhi-110064	Mild steel tee hinges	IS 00206 : 81
71. 8007660	93-01-16	B.D. Batra & Sons C-60/3, Wazirpur Indl. Area Delhi-110052	15 Kg square Tins	IS 10325 : 89
72. 8007761	93-0-116	Vihram Super Cement PO Khor Vikramnagar Distt Mandsaur (MP) 458470	Ordinary portland cement 43 grade	IS 08112 : 89

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73. 8007862	93-01-16	Rockwell Pumps & Motort (P) Ltd. 15, Rajinder Nagar Indl. Area Mohan Nagar Ghaziabad 201007	Submersible pumpsets	IS 08034 : 89
74. 8007963	93-01-16	C.M. Precision Tools (India) Regd. 303/2 Than Singh Nagar Anand Parbat New Delhi 110005	Electric iron thermostatic with aluminium alloy sole plate	IS 00366 : 85
75. 8008056	93-01-16	Winner India 9082, Gali Zamir Wali Nawab Ganj Delhi-110006	Electric irons, thermostatic with aluminium aploy sole plated	IS 00366 : 85
76. 8008157	93-01-16	Mech (India) Industries B-34/9, G.T. Karnal Road Delhi-1100033	Aluminium alloy butt hinges	IS 00205 : 78
77. 8008258	93-02-01	Anand Industris (Auto Lamps Division) 9, Co-Op, Indl. Estate Sahazanpur Road Dehradun 248001	Tungsten filament general service electric Lamp	IS 00418 : 78
78. 8008359	93-02-01	Shree Cement Ltd, Bangur Nagar Near village Andheri Devri P.B. No. 33 Beawar (Raj.) 305901	Ordinary portland cement 43 grade	IS 08112 : 89
79. 8008460	93-01-16	PCDF Ltd., (Unit Feeder Balancing Dairy) Partapur Gangol Road Meerut	Milk Powder	IS 01165 : 92
80. 8008561	93-02-01	Bharat Rubber Udyog Khasra No. 570 Village Bakoli Near Alipur Delhi-110036	Rubber hose for welding nominal bore	IS 00447 : 88
81. 8008662	93-02-01	Nangru Plastic Industries 63/1, Shiv Mandir Marg, Nangloi Delhi-110041	Helmets for scooters and motor cycle riders	IS 04151 : 82
82. 8008763	93-02-01	Shiv Shakti Pipe Industries 5-4 KM Meerut Road, Muzaffarnagar (UP) 251003	Endosulphan EC 35%	IS 04323 :
83. 8008864	93-02-01	Luminaires & Switchgears (India) Pvt. Ltd., Plot No. 7 Pithampur Sector 11 Hill Top, Pithampur Distt. Dhar (MP)	Ballasts for fluorescent lamps for switch start circuits with copp'r enamelled wire	IS 01534 : 77 Part : 01
84. 8008965	93-02-01	Jyoti Rubber Udyog (India) Pvt Ltd., A-108, Sector V NOIDA Distt. Ghaziabad 201301	Water suction and discharge hose of rubber, heavy duty	IS 03549 : 83
85. 8009058	93-02-01	Jyoti Rubber Udyog (India) Pvt. Ltd., A-108, Sector V NOIDA Distt. Ghaziabad 201301	Rubber hose for sand blasting	IS 05894 : 80
86. 9007362	93-01-01	Modern Sprayers (P) Ltd., Near P.B. Cold Storage G.T. Road Ludhiana	Sprayer Knapsack	IS 03906 : 82 Part : 01

1	2	3	4	5
87. 9007463	93-01-16	Shivalik Agro Chemicals B-59, Phase 7 Indl. Focal Point Mohali	Pest-Malathion WDP 25%	IS 02569 : 78
88. 9007564	93-02-01	Metro Engineering Works Hadiabad Phagwara 144402	Switches (Domestic & Similar)	IS 03854 : 88
89. 9007665	93-02-01	Rajat Industries 12, Indl. Dev. Colony Hissar (Haryana)	15 Kg Square Tins	IS 10325 : 89
90. 9007766	93-02-01	Bharat Fertilizers Mfg. Co. B-9, Focal Point Kotakpura (PB) 151204	Zinc sulphate, agricultural	IS 08249 : 76
91. 9007867	93-02-01	Hind Valves (India) 1047, Hind Road, Indl. Area Kalandhar City 144004	Gate, glove & check valves	IS 00778 : 84
92. 9007968	93-02-01	Orion Engineering Works B-13, Indl. Focal Point	Sprayer-Knapsack piston type	IS 03906 : 82 Part : 01

[No. CMD/13 : 11]

N. SRINIVASAN, Addl. Director General

नई दिल्ली, 1 जून, 1993

क्र.आ. 1408 - भारतीय मानक ब्यूरो (प्रमाण) विनियम, 1988 के उपविधाय (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :

क्र.सं. लाइसेंस सीएम/एल	लागू होने की तारीख	लाइसेंसधारी का नाम	वस्तु क्रम	IS नं./ भाग	
(1)	(2)	(3)	(4)	(5)	(6)
1. 2414643	92-11-16	स्टील फाइबर प्रॉडक्ट्स, बाम-मदनपुर बवास, दिल्ली-110081	पूर्व प्रबलित कंक्रीट के सेनहोल के डस्कन गोल टाइप और एचबी और एमबी	IS : 12592 : 88	
2. 2414744	92-11-16	हर्ष इंस्टीट्यूट ए-880, वास्की नगर, दिल्ली-110052	प्रस्कम्बी सामग्री के बने तीन विन प्लग	IS : 06538 : 71	
3. 2414845	92-11-16	तबी प्रार्क इलेक्ट्रोड्स प्रा. लि., खेन 4, बंड कॉम्प्लेक्स बयूरो ब्राह्मण जम्मू	घातु प्रार्क बैलिडिंग के लिए घावरित इलेक्ट्रोड बर्नी करण ईश्वर 4311, साइज 3.15 मिमी से 5 मिमी तक	IS : 00814 : 91	
4. 2414946	92-11-16	पिक्स ऑटो इंस्टीट्यूट, गिल रोड, बिमलापुरी, कूश्मियाना	प्रेचन टाइपर काबले और फिन्नी (बाइर रहित)	IS : 12427 : 88	
5. 2415039	92-11-16	इम्प्रीविस ऑटो इंस्टीट्यूट, रेलवे गृहस जोड के सामने, फरीदाबाद	मोटर बाइन के प्रचलित ब्रेक की हीज 3.2 मिमी सांकेतिक और	IS : 07079 : 79	
6. 2415140	92-11-16	पेन एमिया इंस्टीट्यूट लि., प्लॉट नं. एफ-62 और 63 रिक्को इंड. एरिया, बिहरोर, जि.—प्रलवर 301701	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89	
7. 2415241	92-11-16	किसान कॅमीकल्स, 41 इंड. एरिया, फेज II, बंदीगढ़	क्लोरोपाइरोफॉस 20% (द्रव) इसी फासु लेसन केवल	IS : 08944 : 78	
8. 2415342	92-11-16	ए. के. इंस्टीट्यूट, डा.—रबीन, डा.—सपकन, सोमन (घा. प्र.)	जलीकृत इस्पात की जंजीर श्रृंखला बाड़ के तार	IS : 02721 : 79	

(1)	(2)	(3)	(4)	(5)	(6)
9.	2415143	92-11-16	अमोलक प्रकाश वेईंग मशीन प्रा. लि. 52 सिड्डीको इंड. एस्टेट, अम्बानूर, मद्रा-600098	स्वतः संकोती टाइप काउण्टर टाइप भार तोलन वाली IS : 01853 : 61 मशीन 500 प्रा. अमला	
10.	2415544	92-11-16	बी. एस. सीमेंट प्रा. लि., बालगोमुण्डा जि.--बोलनागिरी, (उड़ीसा) 767040	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
11.	2415645	92-11-16	बी. एस. सीमेंट प्रा. लि., बालगोमुण्डा जि.--बोलनागिरी (उड़ीसा)	पोर्टलैंड वातुमल सीमेंट	IS : 00455 : 89
12.	2415746	92-11-16	लक्ष्मी एन्वाइसेज, 67/1 सीमरपुरम, बार्दिस रोड, पूनामाली, मद्रास-800056	अबल बंडाण टाइप वाली गम करने के बिजली के हीडर, 15 मिटर से 35 मिटर भारिता, 230 डिग्री सेल्सियस, लेगी 1, साधारण	IS : 02082 : 85
13.	2415847	92-11-16	बालगोमुनैक पम्पस प्रा. लि., 8 एफ इंड. एस्टेट, एरिया, ए.बी. रोड. वेवास (म.प्र.) 455001	कृषि प्रयोजनों के लिए श्रैलिंग अक्केरी पंप साइज 80 X 65 मिमी.	IS : 06595 : 80
14.	2415948	92-11-16	कृदस इंड. प्रा. लि., 13 अमरार जोबान्धम रोड, गणपति, कोयम्बतूर-641006	सोटवाहन हेतु बिजली के हार्न	IS : 08184 : 81
15.	2416041	92-11-16	मोहन एल्यूमीनियम प्रा. लि., 9वां मील का पत्थर पुराना मद्रास रोड पो. बा. नं. 4976, बंगलौर 560009	सिरोपेपर प्रेषण के लिए एल्यूमीनियम मिश्रधातु के लड़वार चालक (एल्यूमीनियम-मैग्नीशियम मिलिकॉन टाइप)	IS : 00398 : 79
16.	2416142	92-11-16	इन्फा सेल्स प्रा. लि., प्लॉट नं. 30, इंड. एस्टेट, अकर (केरल) 688534	सामान्य सेवा टंगस्टन तंतु के बल्ब	IS : 00418 : 78
17.	2416243	92-11-16	के.के. इंजीनियरिंग वर्क्स, 98 म्यू हनुमान पुरी, सूरजकुंड रोड, मेरठ	घातबर्ध इलेक्ट्रो के पाइप फिटिंग	IS : 01879 : 87
18.	2416344	92-11-16	नीलाचल सीमेंट लि., प्रा.-डबिरी, डा. कंटाबेजी, जि.--बोलनागिरी-767039	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
19.	2416445	92-11-16	पांजा बाल्व मैन्यू. कं., ईषापुर रोड (कैनाल साइड) संक्रागाछी, हावड़ा 711104	स्टैंड पोस्ट टाइप, अग्निशामक हाइड्रेंट	IS : 00908 : 75
20.	2416546	92-11-16	पांजा बाल्व मैन्यू. कं., ईषापुर रोड (कैनाल साइड) संक्रागाछी, हावड़ा-711104	भूमिगत अग्निशामक हाइड्रेंट न्यूमबाल्व टाइप	IS : 00909 : 75
21.	2416647	92-11-16	बूड क्राफ्ट अमम, मारियामी डा. मारियामी, जि.--ओरहट (अमम)	कंक्रिट के जटिल कार्य के प्लाईवूड	IS : 04990 : 81
22.	2416748	92-12-01	प्रेमा इंडस्ट्रीज, प्लॉट नं. 87/79, इंड. एस्टेट, मगर-पुणे, महाराष्ट्र-414001	हल्कबाल्विक नैपेसिक छिड़काव पिस्टन टाइप, 16 मिटर भारिता, प्लास्टिक टंकी एक बैरल अप्पर बाव कक्ष टाइप केवल	IS : 03906 : 82 भाग : 01
23.	2416849	92-12-01	अरावली मेडीकल सेफटी एन्वाइसेज, प्रा. लि., नवी 14, सेक्टर 8, सोएडा कंपलेक्स जि.--गाजियाबाद	चुपण पम्प टाइप 1 केवल	IS : 04533 : 78
24.	2416950	92-12-01	स्टील थर्मालिटी ऑफ इंडिया लि., राउरकेला स्टील प्लांट, राउरकेला-7669011	जलपोत के नौकाय के निर्माण के लिए संरचना इस्पात	IS : 03039 : 88
25.	2417043	92-12-01	डीपी कंप्यूटर फॉर्मस प्रा. लि., 50 महाबिबाला इंड एरिया, सहारनपुर रोड, बेहराधूम (उ.प्र.)	कंप्यूटर हेतु कागज	IS : 12766 : 89

(1)	(2)	(3)	(4)	(5)	(6)
26.	2417144	92-12-01	बी. वी. एम इलेक्ट्रिक प्रॉडक्ट्स, सी-1, 18/10, जीआई बीसी इंड एस्टेट, काबी (उत्तर गुजरात)	सीसा प्रमेल बैटरी हेतु संग्रहालय पृथक्कारक	IS : 06071 : 86
27.	5000530	92-11-16	प्रमिका सीमेंट लि., हाथीबाड़ा रोड, कुम्हारमुड़ा, जि.सुंहराड़ (उड़ीसा) 770039	साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
28.	5000631	92-11-16	पावर टैक इंजीनियर्स, 392/2 नीलाचल बीरासी, कलकत्ता-700051	जल संचयन और निकास हेतु रबर के बोज	IS : 03549 : 83
29.	5000732	92-11-16	गीत वैकैनिकल वर्क्स प्रा. लि., बी-35 से 38 इंड एरिया, हाजिपुर, बिहार-844101	भारतीय हैमियत 305 और 229 प्रा/मी 2	IS : 01786 : 85
30.	5000833	92-11-16	मा-मानशा प्रायरेल इंडस्ट्रीज, बी राइ, वासनगर, हावड़ा (पं. ब.) 711105	मोटरवाहन-द्वारा धरे ट्रक टायर, बस और हल्के टायर	IS : 04109 : 67
31.	5000934	92-11-16	बिरला टायर्स (प्रा.) केसराम इंडस्ट्रीज लि) डा.- बाबापुर बाबा-कुलड़ा जि.- बाबासोड़ा-756056	बाधाग्र पीकिंग हेतु बी टिजल पटसन के बोरे	IS : 10914 : 89 भाग 02
32.	5001027	92-11-16	न्यू सेंट्रल जूट मिल्स कं. लि., (इकाई-एलबिओन), बजबज 24 परगना (दक्षिण) 743319	नमकीले सरिण	IS : 02566 : 84
33.	5001128	92-11-16	मन्नी ब्रदर्स प्रा. लि., गा.- बाकुंजी डा.-धनवुनी, जि.-हगली (प्र. ब.)	बाड़ लगाने के लिए जस्तीकृत इस्पात के प्रबलित काटेदार तार	IS : 09550 : 80
34.	5001229	92-12-01	शक्ति इंडस्ट्रीज, 23 कुमारपाड़ा रोड, तिलुह, हावड़ा (पं. ब.) 611204	पेयजल आपूर्ति मस जल और औद्योगिक बहिस्त्रावीं हेतु एचडीपीई पाइप	IS : 00278 : 78
35.	5001330	92-12-01	हैसमार्क इंडस्ट्रीज, 23/32 बंकीटीला मेन रोड, कलकत्ता-700053	बायो	IS : 04984 : 87
36.	6001032	92-12-01	पुनियत कार्बोइड इंडिया लि 1075 तिरुवैट्टियर हाईरोड, मद्रास-600019	घार-6 हैवी इयूटो बैटरी	IS : 09128 : 78
37.	6001133	92-11-16	शार्प ट्रेडो, 9/8सी, सितारा रोड, कलपट्टी, कोयम्बतूर-641035	एक केजी छोटे एसो प्रेरण मोटर।	IS : 00996 : 79
38.	6001234	92-11-16	इन्फिन्ट इंडस्ट्रीज, एसएफ 430, साठे रोड, प्रायोपलायम, प्रिबू के पास गणपति, कोयम्बतूर	निमज्जय पम्पसेट हेतु मोटर	IS : 00283 : 79
39.	6001335	92-11-16	सुजाता एमोइनिमेंटस (प्रा.) लि., 3ए2, 3ए3, के के पुडर रोड, बेलेन्डीपलायम, कोयम्बतूर-641026	हस्तचालित नैपरीक प्लास्टिक के छिड़काव यंत्र	IS : 03906 : 82 भाग 02
40.	6001436	92-11-16	चिन्ता गिरी सीमेंट प्रा. लि., प्रार.एस. सर्वे नं 114/1एच/115, उत्तुरमा मुखोल तालुक, बीजापुर जिला, कर्नाटक-587313	साधारण पोर्टलैंड सीमेंट	IS : 00269 : 89
41.	6001537	92-11-16	गंगा इंजीनियरिंग इंडस्ट्रीज, गणपति, कोयम्बतूर-641006	निमज्जय पम्पसेट हेतु मोटर	IS : 09283 : 79



(1)	(2)	(3)	(4)	(5)	(6)
42.	6001678	92-11-16	जैम प्राइवेट्स, 310-6 कामराज रोड, पीलामेडू, कोयम्बतूर-641 001	एक फेज/छोटे एसो प्रेरण मोटर।	IS 00996: 79
43.	6001739	92-11-16	घामसन पॉन्सामस प्रा लि., 8-एक्स, शास्त्रानगर (कोवाइ हास्पिटल के सामने) प्रवर्तना रोड, कोयम्बतूर-641014	पावोसी रोधित वेल्डन तार।	IS 08783: 78
44.	6001840	91-12-01	एग्रो नॉइस, कं सं -4 डी/1 ग्रा--नॉनजंगूर, कोलापेटाई हाकर तालुक, कोयम्बतूर, अरमपुरी जि (तमि)	तकनीकी ग्रेड मैग्नीशियम सल्फेट	IS 02730: 77
45.	6001941	92-10-01	वि कृष्णा डिस्ट्रिक्ट मिल्क प्रोड्यूसर्स काप पूनीयन लि., मिल्क प्राइवेट्स फैक्ट्री, विजयवाड़ा-520009	मक्खनिया दूध पाउडर, मानिक ग्रेड	IS 13334: 92 भाग 01
46.	6002034	92-12-01	डाल्फिन इंडस्ट्रिज, एसएफ नं 430, साठे रोड, भार्यापलायम, पिरियूक् के पाम गणपति, कोयम्बतूर-641 006	निमज्जय पम्प सेट	IS 08034: 89
47.	6002135	92-12-01	दुर्गाईमणि फाउंड्री, 27 साउथ स्ट्रीट नं 4, कृष्ण, राध्यापुर, गणपति डा, कोयम्बतूर-641 006	नोनोसेट पम्प	IS 09079: 89
48.	6002236	92-12-01	माइक्रो राज इलेक्ट्रानिक्स प्र. लि., प्लॉट नं 1, फेज 4, आई डीए, जीडॉमेतला, हैदराबाद-500 855	सेक्टो रेजर के ब्लेड, स्टेनलैस इस्पात	IS 07371: 82
49.	6002337	92-12-01	केडिया वनस्पति लि., 19-2-226 मि रालामटेक रोड, बहापुरपुरा, हैदराबाद-500 264	वनस्पति	IS 10633: 86
50.	6302438	92-12-01	मिर्माज एंडप्लाईमेज, 18/19 आराम नगर, साउथ स्ट्रीट, प्रलावरपेट, मद्रास-600018	बिजली के घरेलू मिक्सर	IS 04250: 80
51.	6002539	92-12-01	नारायण इंडस्ट्रिज, 5-सी, बालूवारनगर कामराज रोड, पॉलमेडू कोयम्बतूर-641 001	एक फेज/छोटे एसो मोटर	IS 00996: 79
52.	6002640	92-12-01	रमैया इंजीनियरिंग इंडस्ट्रिज प्रा. लि., 30-ए एम. के. एन. रोड, सरोजा मेन्शन, सूरडी, गडग-600032	पावोसी रोधित केबल	IS 00694: 90
53.	6002741	92-12-01	इंड बेकर प्रा लि. प्लॉट नं 29, रोड नं. 2, अगानो इंड एरिया, मनोकल तालुक, बंगलौर-562106	बिजली के पानी गर्म करने के हीटर	IS 00368: 83
54.	7001441	92-10-16	लक्ष्मी इंजीनियरिंग वर्क्स, बावरी कुम्भावाड़ा के सामने, ईदगाह रोड, बहावरा-390004	गोबर गैस प्लूहे	IS 08749: 88
55.	7001542	92-10-16	कुलकर्णी इंजी कं., प्लॉट ए/100, एमआईडीसी फेज-1, डोमबिवलि-ठाणे-421 203	विद्युत उपकरणों के लिए अक्वालासह खोल।	IS 02148: 81
56.	7001643	92-11-01	उज्जवल इस्पात प्रा. लि., सो-8 मधार्डीबासा, हिंगना, नागपुर-440016	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य इस्पात के विकृत सरिए और तार	IS 01786: 85

(1)	(2)	(3)	(4)	(5)	(6)
57.	7001744	92-11-01	आर्लमार इलेक्ट्रॉनिक इंडस्ट्रीज, अंजली उद्योग भवन, यूनिट नं० 24/25, प्लॉट नं० 6 एवं 20 फ्लैट नं० 31-34 नवधर बसाई (पू) जि-ठाणे	प्लग और सॉकेट आउटलेट	IS 01293 : 88
58.	7001845	92-11-16	वेडमुखा वायर कं (प्रा) लि., प्लॉट नं० 32/55, सिन्नार काप. इंड एरिया, सिन्नार नासिक-422 103	सामान्य इंजीनियरी प्रयोजनों हेतु मृदु इस्पात के तार	IS 0289 : 78
59.	7001946	92-11-16	जय स्मेलिटिंग प्रा. लि., सो 3 बी/4320 फेज 4, जीआरडीसीसी, बटवा, अहमदाबाद-382445	कापरनलफेड	IS 00261:82
60.	7002039	92-11-16	छात्रवैद्य पाइप प्राइवेट्स, धुले, ह्यादने पर, सुखवाड पर, तालुक-शिन्धुदोडा, धुले जि०	कंक्रीट पाइप	IS 00458 : 88
61.	7002140	92-11-16	भारत वायर रोपर्स मैनु कं., प्लॉट नं० 735/1-2-3 रतन इंडस्ट्रीज, कम्पाउंड एसबीएस मार्ग, नं० 3 सोनापुर, अहमदाबाद ओरंगलकान सि के सामने, बम्बई-400078	बेडरॉ और धावनी के जाने वाले डीपों हेतु मानक इस्पात तार रस्सी।	IS 01853 : 77
62.	7002241	92-11-16	सर्ज इंजीनियरिंग प्रा० लि०, सो-1 बी-25 जीआरडीसीसी बागोडिया, धडोदरा जि-391 760	पीवीसी रोहित (हैवी ड्यूटी) बिजली के केबल	IS 01554 : 88 भाग : 01
63.	7002342	92-11-16	प्रेरणा केबल्स प्रा० लि०, प्लॉट नं० 22, डिडकी धननाभी इंड एस्टेट, ग्रा-मणिपुर डायोजाड, जि-ठाणे-401608	शिरोपरि प्रेषण हेतु एल्यूमीनियम बालक	IS 00398 : 76 भाग : 01
64.	7002443	92-11-16	प्रेरणा केबल्स प्रा० लि०, प्लॉट नं० 22, डिडकी, धननाभी, इंड एस्टेट, ग्रा-मणिपुर, डाक-नोजाड, जि-ठाणे-401608	शिरोपरि प्रेषण हेतु एल्यूमीनियम बालक	IS 00398 : 76 भाग : 02
65.	7002544	92-11-16	आर्लमार इलेक्ट्रॉनिक इंडस्ट्रीज, अंजली उद्योग, यूनिट नं० 24/25, प्लॉट नं० 6 एवं 20 एसआर नं० 31-34 नवधर, बसाई (पू) ठाणे जि	घरेलू और ऐसे ही प्रयोजनों हेतु स्विच	IS 03854 : 88
66.	7002645	92-11-16	तापी भारसीसी पाइप प्राइवेट्स, गेट नं० 538, तापी नदी के किनारे पर, डा-अंजली, तालुक-यवत, जलगांव जि०	कंक्रीट पाइप	IS 00458 : 88
67.	7002746	92-11-16	मराठवाड़ा इलेक्ट्रीसिटीइड्स, प्लॉट नं० 27, एमआरडीसीसी इंड एरिया, बिकलथाना, औरंगाबाद 431 210	एंडोसालफान ईसी	IS 04323 : 80
68.	7002847	92-11-16	डायमंड सीमेंट पाइप इंडस्ट्रीज, प्लॉट नं० 217 220, इंड एस्टेट, सांगली 416 416	कंक्रीट पाइप	IS 00458 : 88
69.	7002948	92-11-16	सिम्पलेक्स कंक्रीट प्राइवेट्स, ई-90 एमआरडीसीसी, अकालकोट रोड, सोलापुर 413 006	कंक्रीट पाइप	IS 00458 : 88
70.	7003041	92-12-01	किलोस्कर ब्रदर्स लि०, हूरमेटिक कम्प्रेसर्स डिवीजन, डा-असीत पुर, जि-सतारा 15519	हूरमेटिक संपीडक, ग्लप ताप गुण।	IS 10617 : 83 भाग : 03

(1)	(2)	(3)	(4)	(5)	(6)
71. 7003142	92-12-01	किलोस्कर बक्स लि०, हरमेटिक कम्प्रेसर्स विभाजन, डा-प्रतीत पर, जि-सतारा	हरमेटिक संपीडक, उच्च ताप उपयोग ग्रुप	IS 10617 : 83 भाग : 01	
72. 7003243	92-12-01	निबूला इलेक्ट्रिकल्स, 205 जीआईसीसी, हुलोल, (पंचमहल) 389350	सामान्य सेवा के टंगस्टन संतु वाले बल्ब	IS 00418 : 78	
73. 7003344	92-12-01	प्रैरणा केबल्स प्रा० लि०, प्लॉट नं० 22 डिडको, धनानी इंड-एस्टेट, मणिपुर प्रा, डा-गंजाड, तालुक धातु, जि-ठाणे 401608	शिरोपरि प्रेषण के लिए एल्यूमीनियम बालक	IS 00398 : 79 भाग : 04	
74. 7003445	92-12-01	नागपुर केबल्स, प्लॉट नं० 42 एवं 43, बर्मा लेभाउड, ग्राम रांडवाडी, जि-नागपुर	1100 वो तक कार्यकारी बोल्टता हेतु पीवीसी रोधित केबल।	IS 00694 : 90	
75. 8003546	92-12-01	प्रिंसीजन इलेक्ट्रिकल्स, गली नं० 1, 3, 4 चौधरी इंड एस्टेट, प्रा-नवधर, बसई रोड जि-ठाणे	सीलिग रोज	IS 00371 : 79	
76. 7003647	92-12-01	उज्जवल इस्पात प्रा० लि०, सतरंजनपुरा भंडारा रोड, नागपुर 440008	संरचना इस्पात	IS 00226 : 78	
77. 7003748	92-12-01	अग्रवाल प्रायरम एंड स्टील बक्स, साई रोड, धरवी, जातूर तालुक	एस्बेस्ट्स सीमेंट बाब पाइप के साथ प्रयुक्त हुने लोहे के अलग होने वाले जोड़	IS 08794 : 88	
78. 8001446	92-11-16	एशियन पम्पस् प्रा० लि०, बी 5ए 6ए सेक्टर सी, सनवर रोड, इंड एरिया, इंदौर 452 004	साफ ठंडे ताजे पानी हेतु निमज्ज्य पम्पसेट	IS 08034 : 89	
79. 8001547	92-11-16	महावीर सीमेंट बक्स (प्रा०) लि०, 12 किमी का पत्थर, बीहात रोड, प्रा एवं डा-धुना, सहरनपुर	पोर्टलैंड सीमेंट	IS 00455 : 89	
80. 8001648	92-11-16	प्राकृष्णवीर सीमेंट्स (प्रा०) लि०, 12 किमी का पत्थर, दिल्ली मसोबी रोड, ग्राम एवं डा-धुना, सहरनपुर	पोर्टलैंड बालुमन सीमेंट	IS 00455 : 89	
81. 8001749	92-12-01	प्लाजा केबल इंडस्ट्रीज प्रा० लि०, खसरा नं० 562, डा-बाकेसी, मन जी०टी० करमाल रोड, दिल्ली 110 036	1100 वो तक कार्यकारी बोल्टता के लिए पीवीसी रोधित और खोलवार (ह्वी ड्यूटी) एल्यूमीनियम बालकों वाली केबल	IS 01554 : 88 भाग : 01	
82. 8001850	92-12-01	प्रतिभा सीमेंट्स प्रा० लि०, गा- रानसी प्रा- तहसील- बिलारा, जि-जोधपुर	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS 00269 : 89	
83. 8001951	92-12-01	धार.एस. केबल कं., 12 सतनाम पार्क, चंदर नगर, दिल्ली 110 051	1100 वो तक कार्यकारी बोल्टता के लिए एल्यूमीनियम बालकों वाली खोलवार और खोल- रहित पीवीसी रोधित केबल	IS 00694 : 90	
84. 8002044	92-12-01	ह्वीक्राफ्ट इलेक्ट्रानिक्स, बी-74 ओबसा इंड. एरिया, फेज II, नई दिल्ली 110 020	1100 वो तक कार्यकारी बोल्टता के लिए एल्यूमीनियम और तांबा बालकों वाली खोलवार और खोलरहित पीवीसी रोधित केबल	IS 00694 : 90	
85. 8002145	92-12-01	प्रादित्य एल्यूमीनियम प्रा० लि०, फेज नं० 2, मालवीय इंडस्ट्रियल एरिया, जयपुर	शिरोपरि प्रेषण हेतु अस्तोक्त इस्पात प्रचलित एल्यूमीनियम बालक	IS 00398 : 76 भाग : 02	
86. 8002246	92-12-01	अय कैमोकल्स प्रा० लि०, बी-31, साइट 4, साहिबाबाद इंड. एरिया, जि-गाजियाबाद	धुलाई सोप, टाइप- 2	IS 00285 :	

(1)	(2)	(3)	(4)	(5)	(6)
87.	8002347	92 12 01	भारतिय प्रान्तिष, बी- 35, फेज 1, मायापुरी, नई दिल्ली 110084	सनवैट पीला, एफवीएफ, खाद्य प्रेस	IS 01695 : 74
88.	8002448	92 12 01	कोटपुलती सीमेंट वर्क्स (प्रो-प्रर्विध कंस्ट. कं० की इकाई), प्रा-बामसिहपुरा, तहसील-कोटपुलती, जि-जयपुर 303108	पोर्टलैंड धातुयन सीमेंट	IS 00455 : 89
89.	8002549	92 12 01	बंसल इंडस्ट्रीज. 42 राजस्थानी उद्योगनगर, जी०टी० करनाल रोड, दिल्ली-110033	जस्ताकृत मृदु इस्पात के तार	IS 03975 : 88
90.	8002650	92 12 01	रामसन एप्लाइड प्रा० लि०, 10071/72 गली अमीर वाली, मबाव गंज, पुल बंगला, दिल्ली-110006	बिजली के सतत पानी गर्म करने वाले हीटर	IS 08978 : 85
91.	8002751	92 12 01	के.ई.सी. इंटरनेशनल लि०, जीतवाड़ा, जयपुर-302012	बेल्डनीय संरचना इस्पात, समान एंगल और एक समान एंगल, ग्रेड 410 डब्ल्यू, ग्रेड ए, साइज 75×75×5 मिमी	IS 02062 : 84
92.	9002049	92 11 16	बीर इंडस्ट्रीज, जा.टी रोड, मकसूबन, जालंधर-144 008	स्लूस बाल्व (जल कल कार्यों)	IS 00780 : 84
93.	9002150	92 10 01	हरियाणा मिल्क फूड लि०, कैथल रोड, पिहोवा, (पंजाब) 132128	मक्खनिया दूध पाउडर	IS 13334 : 92 भाग : 01
94.	9002251	92 10 01	वि गुडगांव एंड रोहतक कॉपरेटिव मिल्क प्रॉड्यूसर्स यूनियन लि०, गोहाला रोड, मिल्क प्लांट, रोहतक	मक्खनिया दूध पाउडर	IS 13334 : 92 भाग : 01
95.	9002352	92 10 01	रोडमास्टर फूड्स लि, फोमल प्वाइंट, कोट कपूरा (पंजाब)	मक्खनिया दूध पाउडर	IS 13334 : 92 भाग : 01
96.	9002453	92 11 16	मुक्त पाइप्स लि० पटियाला रोड, साजपुरा 140401	विद्युत वोल्टेज इस्पात पाइप	IS 03589 : 91
97.	9002554	92 10 01	लिफ्टन इंडिया लि. केलगंज रोड, एटा डेयरी, एटा	मक्खनिया दूध पाउडर	IS 13334 : 92 भाग : 01

(1)	(2)	(3)	(4)	(5)	(6)
98.	9002655	92-11-16	जीएससी कार्पोरेशन, 354, रामवरबार हंड, एरिया, फेज 2, चण्डीगढ़	गर्मी गैस करने के बिजली के हीट	IS 02002:85
99.	9002756	92-11-16	एनू इंस्टीट्यूट, 49-50 मैना कालोनी, जालंधर।	एससीआई पाइप फिटिंग	IS 01879:87
100.	9002857	92-11-16	जीएससी कार्पोरेशन, 354 रामवरबार हंड, एरिया, फेज 2, चण्डीगढ़	गर्म हवा पंप	IS 04283:81 IS 01879:87
101.	9002938	92-11-16	मोहन ईड, कार्पोरेशन, ई-19, हंड एरिया, जालंधर शहर।	गर्म हवा पंप	
102.	9003051	92-11-16	यूनिटेक इंस्टीट्यूट, पी-21 हंड, कोकल प्वाइंट, जालंधर शहर-144 004	गर्म हवा पंप	IS 01879:87
103.	9003152	92-10-01	अशोक आयरन फाउन्ड्री आटोमोबाइल, एस एंड एमो इंस्टीट्यूट, रोहनक रोड, चर्खा बादरी (हरियाणा)	सीटी अलग हो सकने वाले जोड़	IS 08794:88
104.	9003253	92-11-16	गैस एंड कैमीकल (प्रा०) लि० इंस्टीट्यूट, 14/1 मथूरा रोड, फरीदाबाद-121003	बायोगैस चूल्हे सीप्रार सी बहर	IS 08794:88
105.	9003354	92-11-16	गैस एंड कैमीकल (प्रा०) इंस्टीट्यूट, 14/1 मथूरा रोड, फरीदाबाद।	अरेलू गैस चूल्हे	IS 04246:84
106.	9003455	92-10-01	अशोक आयरन फाउन्ड्री आटोमोबाइल, एस एंड एमो इंस्टीट्यूट, रोहनक रोड, चर्खा बादरी (हरियाणा)	मेनहोल के लिए ठोके बोहे के स्टेप	IS 05455:69
107.	9003556	92-10-01	विनकी आटो इंस्टीट्यूट लि०, साडी वाली रोड, जालंधर शहर	औद्योगिक प्रयोजनों के लिए बी पट्टे	IS 02494:74
108.	9003657	92-11-16	सनफेस इंस्टीट्यूट (प्रा०) लि० शेड नं० 2, प्लाट नं० 58, मेक्टर 27-सी, फरीदाबाद।	बायोगैस चूल्हे डी/बी सी आर सी बहरें	IS 08749:88
109.	9003758	92-12-01	अशोक आयरन फाउन्ड्री आटोमोबाइल, एस एंड एमो इंस्टीट्यूट, रोहनक रोड, चर्खा बादरी (हरियाणा)	सीटी बी फ्लैज पाइप	IS 07181:74
110.	9003859	92-12-01	जे सी टी लि, (स्टील डिबिजन), ग्रा एच डा०-चोहल, होशियारपुर-146024	मुकुट स्पात के सार	IS 00280:78
111.	9003960	92-12-01	मिडाय स्टील, उष्मीय स्टील, उद्योग कुटीर, विश्रानघाट, सोलन	जस्तीकृत स्पात की जंजीर शृंखला	IS 02721:79
112.	9064053	92-12-01	नवनीत इंस्टीट्यूट, ग्रा० एच डा० नारा देवी, जिमला	जस्तीकृत स्पात की जंजीर शृंखला	IS 02721:79

(1)	(2)	(3)	(4)	(5)	(6)
113. 9004154	92-12-01	विनेश वायसं, गर्वमेंट गशरुम सेन्टर, सोलन नेशनल हाईवे, चन्नाघाट, सोलन।	जस्तीकृत इस्पात की जंजीर शृंखला	IS 02721 : 79	
114. 9004255	92-12-01	धरम खादी ग्रामोद्योग समिति (रजि०) विमाल, सोलन।	जस्तीकृत इस्पात की जंजीर शृंखला	IS 02721 : 79	
115. 9004356	92-12-01	उद्योगिकी कौमीकल एंड फर्टिलाइजर्स, पटियाला रोड, समाना, (जाब)-147 101	जिक सल्फेट कृषि ग्रेड	IS 08249 : 76	
116. 9004457	92-12-01	बेनोपाल ग्रायल मिल्स, जी-17 फीकल प्लांट, खन्ना।	पशुधर्मों के लिए मिश्रित पशु आहार।	IS 02052 : 79	
117. 9004558	92-12-01	जय कौमीकल, 14/1 मधुरा रोड, फरीदाबाद।	कृषि कीट नाशक 10% और 25% ईसी।	IS 12016 : 87	
118. 9004659	92-11-01	जय कौमीकल, 14/1 मधुरा रोड, फरीदाबाद	कृषि कीटनाशक: डीडीपीपी, 76% ईसी	IS 05277 : 88	
119. 9004760	92-12-01	कृष्णा कौमीकल, 43- सी केम्प्लेन्ट रोड, हुसियामगंज के पास, पावर हाउस, सखनऊ-226 001	रोगाणुनाशी द्रव काशा	IS 01061 : 82	
120. 9004861	92-12-01	एसोसिएटेड इंडस्ट्रीज, 191 एफएसआईसी, कुंभली (प०ब०)	इलेक्ट्रोमर रोहित केबल	IS 09968 : 88	
121. 9004962	92-12-01	सोलर कौमीकल एंडी ग्राइजेज फुरलक रोड, घरीदा-132 114	केरामल सादा	IS 04467 : 80	
122. 9005055	92-12-01	देव इंडस्ट्रीयल कारपोरेशन, पावर हाउस, जी टी रोड, खन्ना (प०ब०)-141 401	इस्पात के कण्डे	IS 01341 : 92	

एम श्रीनिवासन, अपर महाविशेषक

[सं० : के प्रवि/13 : 113]

New Delhi, 1st June, 1993

S.O. 1408 In pursuance of sub-regulation (5) of the Bureau of Indian Standards (certification) Regulations, 1988 the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

## THE SCHEDULE

Sl. No.	CM/L-No.	Operative Date	Name & Address of the Party	Article/Process covered by the licence	IS: No./Part
1	2	3	4	5	6
1.	2414643	92-11-16	Steel Fibre Products, Village Madan Pur Dabas New Delhi 110081	Prestressed concrete manhole covers of circular type and grades HD and MD	IS 12592 : 88 Part : 81
2.	2414744	92-11-16	Harsha Industries, A-880, Shastri Nagar, Delhi-110052	Three pin plugs made of resilient material	IS 06538 : 71

1	2	3	4	5
3. 2414845	92-11-16	Tawi ARC Electrodes Pvt. Ltd., Lane No. 4, Indl. Complex Bari Brahmana Jammu	Covered welding electrodes for metal arc welding classification ER 4311, Sizes 3.15 MM to 5 MM	IS 00814 : 91
4. 2414946	92-11-16	Picks Auto Industries Gill Road, Simla Puri, Ludhiana	Transmission tower bolts and nuts (excluding washers)	IS 12427 : 88
5. 2415039	92-11-16	Imperial Auto Industries Opp. Railway Goods Shed Faridabad	Automotive hydraulic brake hose of 3.2 mm nominal bore	IS 07079 : 79
6. 2415140	92-11-16	Pan Asia Industries Ltd., Plot No. F-62 & 63 RIICO Indl. Area, Behror Distt. Alwar 301701	Ordinary Portland cement 33 grade	IS 00269 : 89
7. 2415241	92-11-16	Kissan Chemicals 41, Indl. Area, Phase II Chandigarh	Chlorpyrifos 20% (m/m) EC formulation only	IS 08944 : 78
8. 2415342	92-11-16	Aay Kay Industries Village Rabon, PO Saproon Solan (HP)	Galvanized steel chain link fence fabric	IS 02721 : 79
9. 2415443	92-11-16	Asokaprakash Weighing Machines Pvt. Ltd., 52, SIDCO Indl. Estate, Ambattur Madras 600098	Self indicating counter type weighing machine of 500 g capacity	IS 01853 : 61
10. 2415544	92-11-16	B.S. Cement Pvt. Ltd., Bangomunda Distt. Bolangir (Orissa) 767040	Ordinary portland cement 33 grade	IS 00269 : 89
11. 2415645	92-11-16	B.S. Cement Pvt. Ltd., Bangomunda, Distt. Bolangir (Orissa) 767040	Portland slag cement	IS 00455 : 89
12. 2415746	92-11-16	Lakshmi Appliances 67/1, Sennerpuram Bye Pass Road, Poonamallee Madras 600056	Stationary storage type electric water heaters, 15 L to 35 L capacity, 230 V, D Cistern FED type, class 1, ordinary	IS 02082 : 85
13. 2415847	92-11-16	Dynomec Pumps Pvt. Ltd., 8F, Indl. Estate Area, A.B. Road, Dewas (MP) 455001	Horizontal centrifugal pumps for agricul- tural purposes of size 80 x 65 mm	IS 06595 : 80
14. 2415948	92-11-16	Roots Inds., Pvt. Ltd., 13, Amarat Jeevanandam Road, Ganapathy Coimbatore 641006	Electric horns for automobiles	IS 01884 : 81
15. 2416041	92-11-16	Mohan Aluminium Pvt. Ltd., 9th Milestone, Old Madras Road, P.B. No. 4976 Bangalore 560049	Aluminium Alloys stranded conductors (Aluminium-Magnesium-Silicon type) for overhead transmission purposes	IS 00398 : 79 Part : 04
16. 2416142	92-11-16	Infra Sales Pvt. Ltd., Plot No. 30 Indl. Estate, Aroor (Kerala) 688534	Tungsten filament general service electric lamps	IS 00418 : 78

1	2	3	4	5
17. 2416243	92-11-16	Kay Kay Engineering Works, 90, New Hanuman Puri, Suraj Kund Road, Meerut	Malleable cast iron pipe fittings,	IS 01879 : 87
18. 2416344	92-11-16	Neelachal Cement Ltd., Village Dabiri PO Kantabanji Distt. Bolangir 767039	Ordinary Portland cement 33 grade	IS 00269 : 89
19. 2416445	92-11-16	Panja Valve Mfg. Co., Ichapur Road, (Canal Side), Santragachi, Howrah 711104	Fire Hidrani, Stand post type	IS 00908 : 75
20. 2416546	92-11-16	Panja Valve Mfg Co., Ichapur Road (Canal Side) Santragachi Howrah 711104	underground fire hydrant sluice valve type	IS 00909 : 75
21. 2416647	92-11-16	Woodcrafts Assam Mariani PO Matiani Distt. Jorhat (Assam)	Plywood for concrete shuttering work	IS 04990 : 81
22. 2416748	92-12-01	Preksha Industries, Plot No. 78/79 Indl., Estate, Nagar-Pune Road, Ahmednagar 414001	Hand-operated, knapsack sprayer, piston type, 16 litre capacity, plastic tank, single barrel with pressure chamber inside only	IS 03906 : 82 Part : 01
23. 2416849	92-12-01	Aravali Medical Safety Appliances Pvt. Ltd., B-14, Sector VII NOIDA Complex Distt. Ghaziabad	Suction apparatus type 1 only	IS 04533 : 78
24. 2416950	92-12-01	Steel Authority of India Ltd., Rourkela Steel Plant, Rourkela 769011	Structural steel for construction of hulls of ships, grade II	IS 03039 : 88
25. 2417043	92-12-01	Deepee Computer forms Pvt. Ltd., 50, Mahebewala Indl. Area, Saharanpur Road, Dehradun (UP)	Paper, computer	IS 12766 : 89
26. 2417144	92-12-01	BVM Electrical Products, C-1, 18/10, GIDC Indl. Estate, Kadi (N., Gujarat)	synthetic PVC separators for lead acid batteries	IS 06071 : 86
27. 5000530	92-11-16	Ambica Cement Ltd., Hathibari Road, Kuarmunda Distt Sundargarh (Orissa) 770039	Ordinary portland cement	IS 00269 : 89
28. 5000631	92-11-16	Powertech Engineers, 392/2, Nilachal Birati, Calcutta 700051	Water suction and discharge hose of rubber; Heavy Duty	IS 03549 : 83
29. 5000732	92-11-16	Gita Mechanical Works Pvt. Ltd. B-35 To 38 Indl. Area Hazi Pur Bihar 844101	Indian Hessian 305 and 229 g/m <sup>2</sup>	IS 01786 : 85
30. 5000833	92-11-16	Ma-Manasha Iron Industries 'Y' Road, Dasnagar, Howrah (WB). 711105	Automotive Vehicle-pneumatic tyres Truck, bus and light tyres	IS 04109 : 67
31. 5000934	92-11-16	Birla Tyres (Prop-Kesoram Industries Ltd.), PO Chhanpur, Via Kuruda Distt. Balasore 756056	B-Twill jute bags for packing food grains	IS 10914 : 89 Part : 02



1	2	3	4	5
32. 5001027	92-11-16	New Central Jute Mills Co. Ltd., (Unit : Albion) Budge Budge 24 Parganas (South) 743319	Bright Bars	IS 02566 : 84
33. 5001128	92-12-01	Mantri Brothers Pvt. Ltd. Vill : Chakundi PO Dankuni Distt. Hooghly (WB)	Galvanized steel barbed wire for fencing	IS 09550 : 80
34. 5001229	92-12-01	Shakti Industries 23, Kumarpura Road, Liluah Howrah (WB) 711204	Hope pipes for potable water supplies, sewage and indl. effluents	IS 00278 : 78
35. 5001330	92-12-01	Hallmark Industries, 23/32, Chanditola Main Road, Calcutta 700053	Kadahies	IS 04984 : 87
36. 6001032	92-11-01	Union Carbide India Ltd., 1075, Thiruvottiyur High Road, Madras 600019	R6 size heavy duty batteries	IS 09128 : 79
37. 6001133	92-11-16	Sharp Trendys 9/8C, Sitra Road, Kalappatti Coimbatore 641035	Single phase small AC Induction motor	IS 00996 : 79
38. 6001234	92-11-16	Dolphin Industries SF No. 430 Sathy Road, Near Athipalayam Privu Ganapathy Coimbatore 641006	Motors for submersible pumpsets	IS 09283 : 79
39. 6001335	92-12-16	Sujatha Agro Equipments (P) Ltd., 3A2, 3A3, K.K. Pudur Road, Velandipalayam Coimbatore 641025	Hand operated knapsack plastic sprayer	IS 03906 : 82 Part : 01
40. 6001436	92-11-16	Channagiri Cements Pvt. Ltd., R.S. Survey No. 114/1 & 115 Uttur Village Mudhol Taluk Bijapur Distt. (Karnataka) 587313	Ordinary portland cement	IS 00269 : 89
41. 6001537	92-11-16	Gangaa Engineering Industries 386, Sathy Road, Ganapathy Coimbatore 641006	Motors for submersible pump sets	IS 09283 : 79
42. 6001638	92-11-16	Gem Products 310-G, Kamarajar Road, Peelamedu Coimbatore 641004	Single phase small AC induction motor	IS 00996 : 79
43. 6001739	92-11-16	Dhamson Polymers Pvt. Ltd., 8-X, Sastri Nagar, (Opp Kovai Hospital) Avanashi Road Coimbatore 641014	PVC insulated winding wires	IS 09783 : 78
44. 6001840	92-12-01	Agro Needs S. No. 4D/4, Nohanganoor Vill. Kalipettai Harur Taluk Kalipettai Dharmapuri Distt. (TN)	Magnesium sulphate, technical grade	IS 02730 : 77
45. 6001941	92-10-01	The Krishna Distt. Milk Producers, Co-Op, Union Ltd., Milk Products Factory Vijaywada 520009	Skim Milk powder, standard grade	IS 13334 : 92 Part : 01

1	2	3	4	5	6
46. 6002034	92-12-01	Dolpo In Industries SF No. 430 Sathy Road, Near Athipalayam Pirivu Ganapathy Coimbatore 641006	Submersible pumpsets	IS 08034 : 89	
47. 6002137	92-12-01	Duraimani Foundry, 27 South Street No. 4 Krishnarayapuram Ganapathy Post Coimbatore 641006	Monoset pumps	IS 09079 : 89	
48. 6002236	92-12-01	Micro Raj Electronics Pvt. Ltd., Plot No. 1 Phase IV IDA Jcedimetla Hyderabad 500853	Safety razor blades, stainless steel	IS 07371 : 82	
49. 6002337	92-12-01	Kediya Vanaspathi Ltd., 19-2-226, Miralam Tank Road, Bahadurpura Hyderabad 500264	Vanaspathi	IS 01633 : 86	
50. 6002438	92-12-01	Mixies and Appliances 18/19, Sriram Nagar South Street Alwar pet Madras 600018	Domestic Electric Food Mixers	IS 04250 : 80	
51. 6002539	92-12-01	Narayan Industries 5-C, Valluvar Nagar Kamaraj Road, Peelamedu Coimbatore 641004	Single phase small AC motors	IS 00996 : 79	
52. 6002640	92-12-01	Ramya Engineering Industries Pvt. Ltd. 30-A, M.K.N. Road, Saroja Mansion Guindy Madras 600032	PVC insulated cables	IS 00694 : 90	
53. 6002741	92-12-01	Ind-Backer Pvt. Ltd., Plot No. 29 Road No. 2 Jigani Indl. Area Anekal Taluk Bangalore Distt. 562106	Electric immersion water heater	IS 00368 : 83	
54. 7001441	92-10-16	Laxmi Engineering Works Opp : Bavri Kumbharwada Idgah Road Vadodara 390004	Gobar gas stove	IS 08749 : 88	
55. 7001542	92-10-16	Kulkarni Engg. Co., Plot A/100 MIDC Phase I Dombivli Distt. Thane 421203	Flameproof enclosures for electrical apparatu	IS 02148 : 81	
56. 7001643	92-11-01	Ujjwal Ispat Pvt. Ltd., C-8, MIDC Hingna Nagpur 440016	Specification for high strength deformed steel bars and wires for concrete reinforce- ment	IS 01786 : 85	
57. 7001744	92-11-01	Shalimar Electronic Industries Anajali Udyog Bhavan Unit No. 24/25 Plot No. 6 & 20, SR No. 31-34 Navghar, Vasal (East) Distt. Thane	Plugs and socket outlets	IS 01293 : 88	

1	2	3	4	5
58. 7001845	92-11-16	Bedmutha Wire Co. (P) Ltd., Plot No. A-32/35 Sinnar Coop Indl. Estate Sinnar Nasik Distt.-422103	Mild steel wire for general engineering purposes	IS 00280 : 78
59. 7001946	92-11-16	Jay Smelting Pvt. Ltd., CIB/4320, Phase-IV GIDC Vatva Ahmedabad-382445	Copper Sulphate	IS 00261 : 82
60. 7002039	92-11-16	Khandesh Pipe Products On Dhule-Shirpur Highway At-Shukwad Taluk-Shindkheda Dhule Distt.	Specification for concrete pipe	IS 00458 : 88
61. 7002140	92-11-16	Bharat Wire Ropes Mfg. Co. Plot No. 735/1-2-3 Rattan Industries Compound LBS Marg, Bhandup Sonapur Opp. Advani Derlikon Ltd., Bombay-400078	Standard steel wire ropes for winding and man riding cages in mines.	IS 01855 : 77
62. 7002241	92-11-16	Sirs Engineering Pvt. Ltd., C-I/B-225 GIDC Estate Waghodja Vadodara Distt.-391760	PVC insulated (heavy duty) electric cables	IS 01554 : 88 Part : 01
63. 7002342	92-11-16	Prerna Cables Pvt. Ltd. Plot No. 22, DIDCO Dhanani Indl. Estate Manipur Village, PO Ganjad Distt. Thane 401608	Aluminium conductors for overhead transmission purposes	IS 00398 : 76 Part : 01
64. 7002443	92-11-16	Prerna Cables Pvt. Ltd., Plot No. 22, DIDCO Dhanani Indl. Estate Manipur Village, PO Ganjad Taluk : Dahanu Distt. Thane-401608	Aluminium conductors for overhead transmission purposes	IS 00398 : 76 Part : 02
65. 7002544	92-11-16	Shalimar Electronic Industries Anjali Udyog Bhavan Unit No. 24/25 Plot No. 6 & 20, SR No. 31-34 Navghar, Vasai (East) Thane Distt.	Switches for domestic and similar purposes	IS 03854 : 88
66. 7002645	92-11-16	Tapi RCC Pipe Products Gat No. 538 On Bank of Tapi River Post Anjale Taluk Yawal Jalgaon Distt.	Specification for concrete pipes	IS 00458 : 88
67. 7002746	92-11-16	Marathwada Insecticides Plot No. 27 MIDC Indl. Area Chikal Thana Aurangabad 431210	Endosulfan EC	IS 04323 : 80

1	2	3	4	5
68. 7002847	92-11-16	Diamond Cement Pipe Industries Plot No. 217/220 Indl. Estate Sangli-416416	Specification for concrete pipes	IS 00458 : 88
69. 7002948	92-11-16	Simplex Concrete Products E-90, MIDC Akalkot Road, Solapur-413006	Specification for concrete pipes	IS 00458 : 88
70. 7003041	92-12-01	Kirloskar Brothers Ltd., Hermetic Compressor Division At Post Atit Satara Distt.-415519	Hermetic compressors, low temperature group	IS 10617 : 83 Part : 03
71. 7003142	92-12-01	Kirloskar Brothers Ltd., Hermetic Compressor Division At Post Atit Satara Distt. 415519	Hermetic compressors, high temperature application group	IS 10617 : 83 Part : 01
72. 7003243	92-12-01	Nebula Electricals 205, GIDC Halol (Panchmahals) 389350	Tungsten filament general service electric lamps	IS 00418 : 78
73. 7003344	92-12-01	Prerna Cables Pvt. Ltd., Plot No. 22, DIDCO Dhrnani Indl. Estate Manipur Village, PO Ganjad Taluk : Dahannu Distt. Thane 401608	Aluminium conductors for overhead trans- mission purposes	IS 00398 : 79 Part : 04
74. 7003445	92-12-01	Nagpur Cables Plo. No. 42 & 43 Verma Layout Village Road Wadi Distt. Nagpur	PVC Insulated cables for working voltages upto & including 1100 V	IS 00694 : 90
75. 7003546	92-12-01	Precision Electricals Gala Nos 1, 3, & 4 Choudhary Indl. Estate Village Navghar Vasai Road Distt. Thane	Ceiling Roses	IS 00371 : 79
76. 7003647	92-12-01	Ujjwal Ispat Pvt. Ltd., Satranjipura Bhandara Road Nagpur-440008	Structural steel (Standard Quality)	IS 00226 : 75
77. 7003748	92-12-01	Agarwal Iron & Steel Works. Sai Road, Arvi, Latur Taluk.	Cast Iron Detachable Joints for use with Asbestos Cement Pressure Pipes	IS : 08794: 88
78. 8001446	92-11-16	Asian Pumps Pvt. Ltd., B-5A, 6A, Sector-C, Sanwer Road Indl. Area, Indore -452004.	Submersible Pumpsets for Clear, Cold, Fresh Water.	IS : 00014 : 89
79. 8001547	92-11-16	Mehabir Cement Works (P) Ltd., 12th Km. Stone, Belat Road, Village & P.O. Ghuna, Saharanpur.	Portland Slag Cement.	IS : 00455 : 89
80. 8001648	92-11-16	Shakumbri Cements (P) Ltd., 12th Km. Stone, Delhi Yammotri Road, Village & P.O. Ghunna, Saharanpur.	Portland Slag Cement	IS : 00455 : 89

1	2	3	4	5
81. 8001749	92-12-01	Plaza Cable Industries Pvt. Ltd., Khasra No. 562, Village No. 562, Village Bakoli, Main G.T. Karnal Road, Delhi-110036	PVC Insulated & Sheathed (Heavy Duty) Electric Cables for Working Voltages upto & including 1100V, with Aluminium & Copper Conductors.	IS : 01554 : 88 Part : 01
82. 8001850	92-12-01	Pratibha Cements Pvt. Ltd., Village Ransi Gaon, Tehsil Bilawa, Distt. Jodhpur.	Ordinary Portland Cement 33 Grade,	IS : 01105 : 89
83. 8001951	92-12-01	R.S. Cable Co., 12, Satnam Park, Chander Nagar, Delhi-110051	PVC Insulated Cables Sheathed & unsheathed with Aluminium and Copper Conductors for working Voltages upto & including 1100 V.	IS : 00694 : 90
84. 8002044	92-12-01	Helicraft Electronics, B-74, Okhla Indl. Area, Phase-II, New Delhi-110020	PVC Insulated Cables Sheathed & Unsheathed with Aluminium and Copper Conductors for Working Voltages upto & including 1100V.	IS : 0694 : 90 H
85. 8002145	92-12-01	Aditya Aluminium Pvt. Ltd., Shed No. 2, Malviya Industrial Area, Jaipur.	Aluminium Conductors Galvanized Steel- Reinforced for Overhead Transmission Purposes.	IS : 00358 : 76 Part-02
86. 8002246	92-12-01	Pal Chemicals Pvt. Ltd., B-31, Site 4, Sahibabad Indl. Area, Distt. Ghaziabad	Laundry Soap, Type-2	IS : 00285 :
87. 8002347	92-12-01	Aditi Organics B-35, Phase-I Mayapuri, New Delhi-110064	Sunset Yellow FCF, Food Grade.	IS : 01695 : 74
88. 8002448	92-12-01	Kotputli Cement Works (Prop : Unit of arvind const. Co.), Village Ramsing Pura, Tensile Kotputli, Distt. Jaipur 303108	Portland Slag Cement.	IS : 00455 : 89
89. 8002549	92-12-01	Bansal Industries, 42, Rajasthani Udyog Nagar, G.T. Karnal Road, Delhi-110033	Galvanized Mild Steel Wires of Nominal Wire.	IS : 03975 : 88
90. 8002650	92-12-01	Remson Appliances Pvt. Ltd., 10071-72, Gali Zamir Wali, Nawab Ganj, Pul Bangash, Delhi-110006	Electric Instantaneous Water Heater.	IS : 08578 : 85
91. 8002751	92-12-01	KEC International Ltd., Jhotwara, Jaipur-302012	Weldable Structural Steel Equal & Unequal Angle Gr Fe 410 WA Gr A, Size upto 75x75x5 mm	IS : 02062 : 84
92. 9002049	92-11-16	Bir Industries, G.T. Road Magsoodan, Jalandhar-144008	Sluice valves (Water Works Purposes)	IS : 00740:84
93. 9002150	92-10-01	Haryana Milk Food Ltd., Kaithal Road, Pehowa (Pb.)-132128	Skim Milk Powder.	IS : 13334 : 82 Part : 01
94. 9002251	92-10-01	The Gurgaon & Rohtak Coop Milk Producers Union Ltd., Gohana Road, Milk Plant Rohtak	Skim Milk Powder.	IS : 13334 : 82

1	2	3	4	5
95. 9002352	92-10-01	Road Master Foods Ltd., Focal Point, Kotakpura (Pb.).	Skim Milk Powder.	IS : 13334 : 92 Part
96. 9002453	92-11-16	Mukat Pipes Ltd., Patiala Road Rajpura-140401	Electric Welded Steel Pipes	IS : 03589 : 91
97. 9002554	92-01-01	Lipton India Ltd., Kesganj Road, Etah Dairy, Etah.	Skim Milk Powder.	IS : 13334 : 92 Part : 01
98. 9002655	92-11-16	G.S.C. Corpn., 354, Ram Darbar Indl. Area, Phase-II Chandigarh.	Electric Water Heater.	IS : 02082 : 85
99. 9002756	92-11-16	Blue Industries, 49-50 Saini Colony, Jalandhar.	MCI Pipe Fittings.	IS : 01879 : 87
100. 9002857	92-11-16	G.C.S. Corpn., 354, Ramdarbar Indl. Area, Phase-II Chandigarh	Hot Air Fan.	IS : 04283 : 81
101. 9002958	92-11-16	Mohan Indl. Corpn., E-19, Indl. Area, Jalandhar City	MCI Pipe Fittings.	IS : 01879 : 87
102. 9003051	92-11-16	Unitex Industries, D-21, Indl. Focal Point, Jalandhar City-144004.	MCI Pipe Fittings.	IS : 01879 : 87
103. 9003152	92-10-01	Ashoka Iron Foundry Automobile, S & Agro Inds., Rohtak Road, Charkhi Dadri (Haryana).	CT Detachable Joints	IS : 08794 : 88
104. 9003253	92-11-16	Gas and Chemicals (P) Inds. 14/1, Mathura Road, Faridabad 121003	Bio Gas Stoves CRC Sheets NI/C.	IS : 08749 : 88
105. 9003354	92-11-16	Gas and Chemical Industries (P) Ltd., 14/1, Mile Stone, Mathura Road, Faridabad-121003	Domestic Gas Stoves.	IS : 04246 : 84
106. 9003455	92-10-01	Ashoka Iron Foundry Automobile, S & Agro Industries, Rohtak Road, Charkhi Dadri (Haryana.).	Cast Iron Steps for Manholes.	IS : 05455 : 69
107. 9003556	92-10-01	Vinko Auto Industries Ltd., Ladowali Road, Jalandhar City.	V-Belts for Indl. purposes.	IS : 02494 : 74
108. 9003657	92-11-16	Sunflame Industries (P) Ltd., Shed No. 2, Plot No. 58, Sec 27-C, Faridabad.	Bio Gas Stoves D/B, CRC Sheet.	IS : 08749 : 88
109. 9003758	92-12-01	Ashoka Iron Foundry Automobile, S & Agro Industries, Rohtak Road, Charkhi-Dadri (U.P.).	CT Double Flanged Pipes.	IS : 07181 : 74
110. 9003859	92-12-01	JCT Ltd., (Steel Division), Vill & PO Chohal, Hoshiarpur 146024	Mild Steel Wires.	IS : 00280 : 78
111. 9003960	92-12-01	Sidhartha Steel, Udyog Kutir, Deonghat, Solan.	Galvanized Steel Chain Links.	IS : 02521 : 79

1	2	3	4	5
112. 9004053	92-12-01	Navneet Industries, Vill & PO Tara Devi, Shimla.	Galvanized Steel Chain Link.	IS : 02721 : 79
113. 9004154	92-12-01	Dinesh Wires, Near Govt. Mushroom Centre, National High Way, Chambaghat, Solan.	Galvanized Steel Chain Links.	IS : 02721 : 79
114. 9004255	92-12-01	Amar Khadi Gram Udyog Samiti (Regd.), The Mail, Solan	Galvanized Steel Chain Link.	IS : 02721 : 79
115. 9004356	92-12-01	Jyoti Chemicals & Fertilizers, Patiala Road, Samana (Punjab)-147101	Zinc Sulphate, Agricultural Grade.	IS : 08249 : 76
116. 9004457	92-12-01	Benipal Oil Mills, D-17 Focal Point, Khanna.	Compounded Feeds For Cattle.	IS : 02052 : 79
117. 9004558	92-12-01	Jai Chemicals, 14/1, Mathura Road, Faridabad	Pest Cypermethrin 10% & 25% EC.	IS : 12016 : 87
118. 9004659	92-12-01	Jai Chemicals, 14/1, Mathura Road, Faridabad	Pest DDVP 76% EC.	IS : 05277 : 88
119. 9004760	92-12-01	Krishna Chemicals, 43-C, Cantonment Road, Near Hussainganj, Power House, Lucknow-226001	Disinfectant Fluid Black.	IS : 01061 : 82
120. 9004861	92-12-01	Associated Industries, 191, HS DC, Kundli (Pb.).	Elastomer Insulated Cables,	IS : 09968 : 88 Part : 01
121. 9004962	92-12-01	Solar Chemical Enterprises, Phutlak Road, Gharaunda 132114	Caramel Plain,	IS : 01467 : 80 Part : 01
122. 9005055	92-12-01	Dev Industrial Corp., Opp. Power House, G.T. Road, Khanna (Pb.)-141401.	Steel Butt Hinges.	IS : 01341 : 92


[No. C.M.D. /13 : 11]

N. SRINIVASAN, Addl. Dy. General.

नई दिल्ली, 4 जून, 1993

कां.सं. 1409 :- भारत के राजपत्र भाग II उपखंड (ii) में दिनांक 1984-05-15 को प्रकाशित तत्कालीन खाद्य एवं नागरिक पूर्ति मंत्रालय (नागरिक पूर्ति विभाग) भारतीय मानक ब्यूरो की अधिसूचना कां.सं. 2952 दिनांक 1984-08-16 के अधिक्रमण में भारतीय मानक ब्यूरो पदवी अधिसूचित करता है कि आईएस : 2202 (भाग 1)-1991 की मानक सुहर के डिजाइन में परिवर्तन किया है जो नीचे अनुसूचों में निविष्ट है :-

अनुसूचों

क्रम सं०	मानक सुहर का डिजाइन	उत्पाद/उत्पाद की श्रेणी	भारतीय मानक की सं० और वर्ष	समूचीने की तिथि
(1)	(2)	(3)	(4)	(5)
1.		लकड़ी के दरवाजा शटर (डोत वॉड टाइप) प्लाईवुड फलक वैनल	आईएस : 2202 (भाग 1)-1991	1992-11-01


[संख्या के प्र० दि० 13 : 9]

एन० श्रीनिवास, अवर सहा निदेशक

New Delhi, the 4th June, 1993

S.O. 1409—In supersession of the then Ministry of Food and Civil Supplies (Department of Civil Supplies (Bureau of Indian Standards) notification number S.O. 2052 dated 1984 08 16 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1984 09 15 the Bureau of Indian Standards, hereby, notifies that the design of the Standard Mark for IS: 2202 (Part I)-1991 has been revised as given in the Schedule.

## THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. & Year of the Relevant Indian Standard	Date of Effect
1	2	3	4	5
1.	IS : 2202 	Wooden flush door shutters (solid core type) Plywood face panels.	IS : 2202 (Part I)-1991	1992 11 01

[No. CMD/13 : 9]

N. SRINIVASAN, Addl. Director Gen.

मानव संसाधन विकास मंत्रालय

(संस्कृति विभाग)

नई दिल्ली, 18 मई, 1993

का.आ. 1410.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय, संस्कृति विभाग के अधीन निम्नलिखित कार्यालय को जिसके 80 प्रतिशत से अधिक कर्मचारियों को हिन्दी का कार्य साधक ज्ञान प्राप्त है, अधिसूचित करती हैं :—

ललित कला अकादेमी,  
(राष्ट्रीय कला संस्थान),  
रबीन्द्र भवन, नई दिल्ली।

[सं. 1-1/93-हिन्दी]

जी. वेंकटरमणी, निदेशक

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Culture)

New Delhi, the 18th May, 1993

S.O. 1410.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for official purposes of the union) Rules, 1976, the Central Government hereby notifies the following office under the Ministry of Human Resource Development, Department of Culture, more than 80% staff of which has working knowledge of Hindi :—

Lalit Kala Academy,  
(National Academy of Art),  
Rabindra Bhavan,  
New Delhi-110001.

[No. 1-1/93-Hindi]

G. VENKATARAMANI, Director

(महिला एवं बाल विकास विभाग)

पूर्व विन्यास अधिनियम 1890 (1890 का 6) के  
सामने में राष्ट्रीय बाल कोष, नई दिल्ली के मामले में  
नई दिल्ली, 10 जून, 1993

का.आ. 1411.—राष्ट्रीय बाल कोष, नई दिल्ली के प्रबन्ध बोर्ड द्वारा किए आवेदन पर और उनकी सहमति से पूर्व विन्यास अधिनियम, 1890 (1890 का 6) के खण्ड 10(2) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा आवेदन देती है कि नीचे दिए गए व्योरे के अनुसार रु. 48,30,918 (रु. अड़तालिस लाख तीस हजार नौ सौ अठ्ठासह मात्र) (पचास लाख की छूट कीमत की राशि) स्टेट बैंक आफ़ पटियाला, सूर्या नगर शाखा, गाजियाबाद में 3 महीनों के लिए सर्टिफिकेट ऑफ़ डिपॉजिट योजना के अन्तर्गत 14 प्र. की व्याज दर से 23-5-93 को पुनः निवेश की गई :—

क. राशि सं.	पिछले निवेश की तारीख	भुगतान की तारीख	अभियुक्तियां
1. 50,00,000	27-2-93	28-5-93	बकाया राशि राष्ट्रीय बाल कोष के बचत खाते में सिडिकेट बैंक, हीज खास, नई दिल्ली में जमा कराई जायेगी।

2. भारत सरकार के तत्कालीन समाज कल्याण विभाग के दिनांक 2 मार्च 1979 के समय-समय पर यथा संशोधित का.आ. 120(ई) की अधिमूचना के साथ प्रकाशित राष्ट्रीय बाल कोष, नई दिल्ली के संचालन की योजना के अनुसार प्रयोग किए जाने हेतु उपरोक्त खाना भारतीय पुनः विन्यास के खर्चा की के नाम द्वारा।

[सं. 13-4/93-टी आर II]

सुरजीत लाल, भवर सचिव



## (Department of Women &amp; Child Development)

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT 1890 (6 of 1890)  
IN THE MATTER OF THE NATIONAL CHILDREN'S FUND, NEW DELHI

New Delhi, the 10th June, 1993

S.O. 1411.—On the application made by and with the concurrence of the Board of Management of the National Children's Fund, New Delhi as in exercise of the powers conferred by Section 10(2) of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby order that the sum of Rs. 48,30,918/- (Rupees Fortyeight lakh thirty thousand nine hundred and eighteen only) [discounted value of Rs. 50,00,000/- (Rupees Fifty lakh only)] as per particulars given below be reinvested in Certificate of Deposit Scheme for three months in State Bank of Patiala, Surya Nagar Branch, Ghaziabad at the rate of Interest 14% per annum w.e.f. 28-5-1993.

Sl. No.	Amount	Date of previous Investment	Date of Maturity	Remarks
1	2	3	4	5
1.	Rs. 50,00,000	27-02-93	28-05-93	Surplus amount will be deposited in savings Bank account of NCF at Syndicate Bank, Hauz Khas, New Delhi.

2. The above account shall vest in the Treasurer of Charitable Endowments of India to be held by him for being applied in accordance with the scheme for the administration of the National Children's Fund, New Delhi, published with the Notification of the Government of India in the then Department of Social Welfare No. S.O. 120 (E) dated the 2nd March, 1979 as amended from time to time.

[F.No. 13-4/93-TR-II]

S. ORJIT LAL, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 14 जून, 1993

का.आ. 1412.—केन्द्रीय सरकार भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) द्वारा अदन शक्तियों का प्रयोग करते हुए भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की भारत के राजपत्र तारीख 16 जनवरी, 1960 में प्रकाशित अधिसूचना का.आ. 138 तारीख 9 जनवरी, 1960 में निम्नलिखित और संशोधन करती है अर्थात्—

उक्त अधिसूचना में, "धारा 3 की उपधारा (1) के खंड (ड) के अधीन नामनिर्दिष्ट" शीर्षक के नीचे कम संख्यांक 6 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित कम संख्यांक और प्रविष्टियां रखी जाएंगी अर्थात्—

"डा. एन.बी. राज शेखर

प्राचार्य,

जवाहरलाल नेहरू आयुर्विज्ञान महाविद्यालय,

बेलगांव।

सदस्य की अवधि 5 फरवरी 1995 तक होगी।"

[संख्या बी-11013/3/93-एम ई (यू जी)]

आर. विजयकुमारी, डेस्क अधिकारी

MINISTRY OF HEALTH &amp; FAMILY WELFARE

(Department of Health)

New Delhi, the 14th June, 1993

S.O. 1412.—In exercise of the powers conferred by Sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Health, published vide S.O. 138, dated the 9th January, 1960 in the Gazette of India dated the 16th January, 1960, namely:—

In the said notification, under the heading "Nominated under clause (c) of Sub-section (1) of section 3" for serial number 6 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

"6. )Dr. H. B. Raj Sekhar,

Principal,

Jawaharlal Nehru Medical College, Belgaum

The term of the member shall be upto 5th February, 1995."

[No. V-11013/3/93-ME(UG)]

R. VIJAYAKUMARI, Desk Officer

नई दिल्ली, 14 जून, 1993

का.आ. 1413.—केन्द्रीय सरकार भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के अनुसरण में भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय के भारत के राजपत्र, तारीख 16 जनवरी, 1960

में प्रकाशित अधिसूचना सं. का.आ. 138 तारीख 9 जनवरी, 1960 में निम्नलिखित और संशोधन करती है, अर्थात् —

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खंड (ख) के अधीन निर्वाचित” शीर्षक के नीचे क्रम संख्या 16 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्यांक और प्रविष्टि रखी जाएगी अर्थात् —

“16. डा.एस.के. बोभाटे  
विकृतिविज्ञान में आचार्य  
सरकारी आयुर्विज्ञान महाविद्यालय  
नागपुर।

सदस्य की अवधि 24 फरवरी 1996 तक होगी।

[सं. बी-11013/4/93-एम ई (यू जी)]

आर. विजय कुमारी, डेस्क अधिकारी

New Delhi, the 14th June, 1993

S.O. 1413.—In pursuance of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Health, No. S.O. 138 dated the 9th January, 1960, in the Gazette of India dated the 16th January, 1960, namely:—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of Section 3”, for serial number 16, and the entry relating thereto, the following serial number and entry shall be substituted, namely:—

“16. Dr. S. K. Bobhate,  
Professor in Pathology,  
Government Medical College,  
Nagpur.

The term of the member shall be upto 24th February, 1996.”

[No. V-11013/4/93-ME(UG)]

R. VIJAYAKUMARI, Desk Officer

नई दिल्ली, 14 जून, 1993

का.आ. 1414.—केन्द्रीय सरकार भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की भारत के राजपत्र तारीख 16 जनवरी, 1960 में प्रकाशित अधिसूचना का.आ. 138 तारीख 9 जनवरी, 1960 में निम्नलिखित और संशोधन करती है अर्थात् —

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खंड (क) के अधीन नामनिर्दिष्ट” शीर्षक के नीचे क्रम संख्यांक 17 और क्रम संख्यांक 20 तथा उनसे संबंधित प्रविष्टियों

के स्थान पर निम्नलिखित क्रम संख्यांक और प्रविष्टियां रखी जाएंगी अर्थात् —

“17. डा. एस. इमकांग टुशी ओ,  
चिकित्सा सेवा निदेशक, कोहिमा।

20. डा. एम. एमूसाना सिंह,  
संयुक्त निदेशक, स्वास्थ्य सेवा  
चिकित्सा निदेशालय, लम्फै लपट,  
इम्फाल, मणिपुर।”

[सं. बी-11013/5/93-एम ई (यू जी)]

आर. विजयकुमारी, डेस्क अधिकारी

New Delhi, the 14th June, 1993

S.O. 1414.—In exercise of the powers conferred by sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Health, published vide S.O. 138, dated the 9th January, 1960 in the Gazette of India dated the 16th January, 1960, namely:—

In the said notification, under the heading “Nominated under clause (a) of sub-section (1) of section 3” for serial number 17 and serial number 20 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:—

“17 Dr. S. Imkong Tushi Ao,  
Director of Medical Services,  
Kohima.”

20. Dr. M. Amusana Singh,  
Joint Director,  
Health Services,  
Medical Directorate, Lamphelpat,  
Imphal, Manipur.”

[No. V-11013/5/93-ME(UG)]

R. VIJAYAKUMARI, Desk Officer

नई दिल्ली, 16 जून, 1993

का.आ. 1415.—केन्द्रीय सरकार भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 13 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात उक्त अधिनियम की तीसरी अनुसूची के भाग 2 में निम्नलिखित और संशोधन करती है अर्थात् —

उक्त अनुसूची में विद्यमान प्रविष्टियों के पश्चात निम्नलिखित प्रविष्टियां जोड़ी जाएंगी अर्थात् —

“एम बी बी एस (कालेज ऑफ मेडिसिन लागांस विश्वविद्यालय, लागांस नाइजेरिया)।

एम बी बी एस (अहमद बेल्ली विश्वविद्यालय, जारिया नाइजेरिया)।

एम बी बी एस (कालेज ऑफ मेडिकल नाइसेंज, बेनिन विश्वविद्यालय, बेनिन नगर, नाइजेरिया)।

एम बी बी एस (कालेज ऑफ मेडिसिन, इबदान विश्वविद्यालय, इबदान, नाइजेरिया)।”

[संख्या बी-11015/10/92-एम ई (यू जी)]

आर. विजयकुमारी, डेस्क अधिकारी

New Delhi, the 16th June, 1993

S.O. 1415.—In exercise of the powers conferred by sub-section (4) of section 13 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby makes the following further amendments in Part II of Third Schedule of the said act namely:—

In the said Schedule, after the existing entries the following entries shall be added namely:—

"MBBS (College of Medicine, University of Lagos, Lagos, Nigeria).

MBBS (Ahmada Bello University, Zaria, Nigeria).

MBBS (College of Medical Sciences, University of Benin, Benin City, Nigeria).

MBBS (College of Medicine, University of Ibadan, Ibadan, Nigeria)."

[No. V-11015/10/92-ME(UG)]

R. VIJAYAKUMARI, Desk Officer

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 17 जून, 1993

का.आ. 1416.—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का.आ.सं. 3156 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उग धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन को इस तारीख को निहित होगा।

## अनुसूची

बेन्दराजी ई पी एर मे मेहसाना सी टी एफ तक पाइप लाईन बिछाने के लिए।

राज्य : गुजरात

जिला व तालुका : मेहसाना

गांव	ब्लाक नं.	ट्रेक्टियर	आर.	सेंटीयर
कानपुरा	81	0	13	95
	80	0	11	28
	83	0	36	73
	79	0	03	48
	84	0	14	15
	85	5	10	85
	71	0	26	13
	68	0	02	70
	69	0	05	95
कार्ट ट्रेक		0	01	60
	66	0	16	40
	65	0	15	45
	60	0	25	10
30/8		0	00	96
कार्ट ट्रेक		0	02	40
30/ए		0	14	49
31		0	02	10
29		0	14	80
33		0	05	89
28		0	00	78
34/1		0	12	55
34/2		0	07	90
35		0	08	95
12		0	02	63
कार्ट ट्रेक		0	01	20
13		0	00	59
11		0	16	52
10		0	02	45

[सं. ओ-12016/95/91-ओ एन जी डी-4]

एम मार्टिन, डेस्क अधिकारी

## MINISTRY OF PETROLEUM &amp; NATURAL GAS

New Delhi, the 17th June, 1993

S.O. 1416.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 3156 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

#### SCHEDULE

##### PIPELINE FROM BECHARAJI EPS TO MEHSANA CTF

State : Gujarat		District & Taluka : Mehsana		
Village	Block No.	Hectare	Acre	Centiare
1	2	3	4	5
Kanpupara	81	0	13	95
	80	0	11	28
	83	0	36	73
	79	0	03	48
	84	0	14	15
	85	0	10	85
	71	0	26	15
	68	0	02	70
	69	0	05	95
	Cart track	0	01	60
	66	0	16	40
	65	0	15	45
	60	0	25	10
	30/8	0	00	96
	Cart track	0	02	40
	30/A	0	14	49
	31	0	02	10
	29	0	14	80
	33	0	05	89
	28	0	00	78
	34/1	0	12	55
	34/2	0	07	90
	35	0	08	95
	12	0	07	63
	Cart track	0	01	20
	13	0	00	59
	11	0	16	52
	10	0	02	45

[No. O-12016/95/91-ONGD D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का.आ. 1417.—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.आ.सं. 3157 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची

में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप-लाइनों को बिछाने के लिए अर्जित करने का अवकाश प्रदान कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार को पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

#### अनुसूची

बेचराजी ई.पी.एस. से मेहसाना सी.टी.एफ. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात		जिला व तालुका : मेहसाना		
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेंटीयर
1	2	3	4	5
तेजपुरा	146	0	23	40
	145	0	15	20
	144	0	12	34
	141	0	23	01
	140	0	05	10
	160	0	09	05
	135	0	19	95
	136/ए	0	00	80
	134	0	36	53
	133	0	01	65
	कार्ट ट्रैक	0	01	50
	122	0	14	73
	123	0	13	82
	कार्ट ट्रैक	0	01	17
	99	0	00	40
	95	0	27	24
	91	0	00	15
	90	0	19	73
	89	0	13	76

1	2	3	4	5	1	2	3	4	5
	काट ट्रैक	0	03	76		Cart track	0	01	17
	60	0	22	84		99	0	00	40
	काट ट्रैक	0	02	00		95	0	27	24
	59	0	00	06		91	0	00	15
	50	0	07	76		90	0	19	73
	51	0	11	15		89	0	13	76
	52	0	11	75		Cart track	0	03	76
	55	0	08	27		60	0	22	84
	54	0	16	48		Cart track	0	02	00
	41	0	05	70		59	0	00	06
						50	0	07	76
						51	0	11	15
						52	0	11	75
						55	0	08	27
						54	0	16	48
						41	0	05	70

[सं.ओ. 12016/96/91-ओ एन जी डी-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1417.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 3157 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

## SCHEDULE

## PIPELINE FROM BECHARAJI EPS TO MEHSANA CTF

State : Gujarat District &amp; Taluka : Mehsana

Village	Block No.	Hect-are	Are	Centi-are
1	2	3	4	5
Tejpura	146	0	23	40
	145	0	15	20
	144	0	12	34
	141	0	23	01
	140	0	05	10
	160	0	09	05
	135	0	19	95
	136/A	0	00	80
	134	0	36	53
	133	0	01	65
	Cart track	0	01	50
	122	0	14	73
	123	0	13	82

[No. O-12016/96/91/ONG D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का.आ. 1418.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिमूचना का.आ.सं. 3158 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिमूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

बेचराजी ई.पी.एस. से मेहसाना सी.टी.एफ. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : मेहसाना	तालुका : चानसमा		
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेंटीयर
रूपपुरा	317	0	14	80
	318	0	00	22
	316	0	28	79
	319	0	12	00
	311	0	35	45
	302	0	26	43
	304	0	00	22
काट ट्रैक	0	03	50	
300	0	24	05	

[सं. ऑ. 12016/97/91/ऑ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1418.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S. O. No. 3158, dated 12-12-1991 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification:

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further, in exercise of powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

## SCHEDULE

PIPELINE FROM BECHARAJI EPS TO MEHSANA CTF

State : Gujarat District : Mehsana : Taluka : Chanasma

Village	Block No	Hect-are	Are	Centi-are
1	2	3	4	
Rupura	317	0	14	80
	318	0	00	22
	316	0	28	79
	319	0	12	00
	311	0	35	45
	302	0	26	43
	304	0	00	22
Cart track	0	03	50	
300	0	24	05	

[No. O-12016/97/91-ONC. D-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 17 जून, 1993

का.आ. 1419.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमियों में उपयोग अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.आ.सं. 3158 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप-लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था

और, यतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तिय का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

बेचराजी ई.पी.एस. से मेहसाना सी.टी.एफ. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला	तालुका : मेहसाना		
गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटीयर
1	2	3	4	5
कटासन	112	0	16	20
	107	0	48	80
	106	0	11	80
	105/1	0	07	30
	105/2	0	05	30
	104/2	0	00	18
	104/3	0	02	60
	103/1	0	09	80
	103/2	0	04	16
	95	0	03	75
	96	0	12	30

1	2	3	4	5
	97/4	0	01	00
	कार्ट ट्रैक	0	06	00
	94	0	06	00
	कार्ट ट्रैक	0	08	70
	521/2	0	05	80
	522	0	14	70
	519	0	24	30
	518	0	07	50
	524/3	0	00	70
	कार्ट ट्रैक	0	02	00
	502	0	10	00
	500	0	00	98
	501	0	12	90
	543	0	05	40
	544/1	0	21	60
	545/1+2	0	00	98
	541	0	01	70
	540	0	18	20
	539	0	07	10
	कार्ट ट्रैक	0	02	40
	548/1	0	09	10
	548/2	0	04	38
	549	0	26	00

[सं. ओ. 12016/97/91 ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1419.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S. O. No. 3158, dated 12-12-1991 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And further, whereas the Central Government has, after section (1) of Section 6 of the said Act, submitted report to the Government ;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

## SCHEDULE

## PIPELINE FROM BECHARAJI EPS TO MEHSANA CTF

State : Gujarat		District & Taluka : Mehsana			
Village	Survey No.	Hect-are	Are	Centi-are	
1	2	3	4	5	
Katodan	112	0	16	20	
	107	0	48	80	
	106	0	11	80	
	105/1	0	07	30	
	105/2	05	05	30	
	104/2	0	00	18	
	104/3	0	02	60	
	103/1	0	09	80	
	103/2	0	04	16	
	95	0	03	75	
	96	0	12	30	
	97/4	0	01	00	
	Cart tract	0	06	00	
	94	0	06	00	
	Cart track	0	08	70	
	521/2	0	05	80	
	522	0	14	70	
	519	0	24	30	
	518	0	07	50	
	524/3	0	00	70	
	Cart track	0	02	00	
	502	0	10	00	
	500	0	00	98	
	501	0	12	90	
	543	0	05	40	
	544/1	0	21	60	
	545/1+2	0	00	98	
	541	0	01	70	
	540	0	18	20	
	539	0	07	10	
	Cart track	0	02	40	
	548/1	0	09	10	
	548/2	0	04	38	
	549	0	26	00	

[No. O-12016/98/91-ONG. D-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 17 जून, 1993

क्र.सं. 1420.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना क्र.सं. 3159 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जन करने का अपना आग्रह घोषित कर दिया था ।

अतः यतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे; यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

#### अनुसूची

बेचराजी ई.पी.एस. से मेहसाना सी.टी.एफ. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : मेहसाना	तालुका : चाणसमा		
गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटीयर
1	2	3	4	5
रांतेज	779/1	0	18	35
	779/2/पी	0	21	70
	779/3/पी	0	29	65
	779	0	84	97
	777	0	06	10
	801	0	10	15
	कार्ट ट्रैक	0	01	80
	794	0	12	42
	793/2	0	20	70
	795/1	0	16	77
	820	0	00	78
	819	0	17	40
	818/6	0	19	70
	818/5	0	09	80
	815	0	05	20
	817	0	16	64
	816	0	02	63
	कार्ट ट्रैक	0	01	80
	875/5	0	14	70
	875/2/पी	0	24	00
	875/2/पी	0	05	90
	876	0	21	90
	877	0	10	25

1	2	3	4	5
	881	0	07	10
	880	0	19	70
	कार्ट ट्रैक	0	02	40
	22	0	05	95
	21	0	17	89
	20/2/पी	0	02	40
	कार्ट ट्रैक	0	01	80
	45/2/पी	0	02	34
	45/3	0	32	96
	44	0	01	10
	48/1/पी	0	01	60
	48/2/पी	0	30	40
	48/3/पी	0	01	01
	51	0	00	40
	52	0	27	89
	कार्ट ट्रैक	0	00	98
	66	0	01	63
	72	0	22	30
	84	0	14	68
	83	0	15	60
	82	0	01	12
	81	0	21	70
	89	0	19	15
	91/पी	0	08	00
	90	0	23	10
	कार्ट ट्रैक	0	04	54
	94	0	00	63
	114	0	15	10
	113	0	13	40
	108	0	12	65
	107	0	08	50
	106	0	33	03
	101	0	01	19
	103	0	00	78
	102	0	33	90

[सं. O-12016/98/91/ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1420.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S. O. No. 3159, dated 12-12-1991 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;



And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

#### SCHEDULE

##### PIPELINE FROM BECHARAJI EPS TO MEHSANA CTF

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hect-are	Are	Centi-are
1	2	3	4	5
Rantej	779/1	0	18	35
	779/2/P	0	21	70
	779/3/P	0	29	65
	779	0	84	97
	777	0	06	10
	801	0	10	15
	Cart track	0	01	80
	794	0	12	42
	795/2	0	20	70
	795/1	0	16	77
	820	0	00	78
	819	0	17	40
	818/6	0	19	70
	818/5	0	09	80
	815	0	05	20
	817	0	16	64
	816	0	02	63
	Cart track	0	01	80
	875/5	0	14	70
	875/2/P	0	24	00
	875/2/P	0	05	90
	876	0	21	90
	877	0	10	25
	881	0	07	10
	880	0	19	70
	Cart track	0	02	40
	22	0	05	95
	21	0	17	89
	20/2/P	0	02	40
	Cart track	0	01	80
	45/2/P	0	02	34
	45/3	0	32	96
	44	0	01	10
	48/1/P	0	01	60
	48/2/P	0	30	40
	48/3/P	0	01	01
	51	0	00	40
	52	0	27	89
	Cart track	0	00	98
	66	0	01	63
	72	0	22	30
	84	0	14	68
	83	0	15	60

1	2	3	4	4	5
		82	0	01	12
		81	0	21	70
		89	0	19	15
		91/P	0	08	00
		90	0	23	10
		Cart track	0	04	54
		94	0	00	63
		114	0	15	10
		113	0	13	40
		108	0	12	65
		107	0	08	50
		106	0	33	03
		101	0	01	19
		103	0	00	78
		102	0	33	90

[No. O-12016/98]91 ONG. D-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 17 जून, 1993

का.आ. 1421.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.आ.सं. 3160 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी हैं।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

बेचराजी ई.पी.एस. से मेहसाना सी.टी.एफ. तक पाइप लाईन  
विस्तार के लिए

राज्य : गुजरात	जिला : अहमदाबाद	तालुका : विरमगाम		
गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटीयर
1	2	3	4	5
तेलावी	कार्ट ट्रैक	0	02	40
	27	0	19	90
	18	0	13	90
	20/पी	0	41	70
	19	0	35	50
	14/पी	0	25	98
	13	0	09	90
	43/1	0	92	00
	48	0	16	46
	47/पी	0	15	50
	46	0	02	42
	185	0	10	40
		0	09	00
	220	0	48	80
	222	0	20	20
	223/पी	0	10	10
	211/पी	0	40	90
	210/पी	0	02	00
	209/27	0	01	08
	209/28	0	05	95
	209/29	0	07	00
	209/30	0	08	70
	209/32	0	12	00
	209/34	0	01	20
		0	02	00
	209/35	0	06	00
	209/36	0	07	00
	209/37	0	02	20
	कार्ट ट्रैक	0	02	40
	209/26	0	14	50
	226/10	0	08	00
	226/11	0	03	25
	226/15	0	08	50
	226/16	0	07	00
	226/26	0	10	45
	226/17	0	02	25
	226/27	0	21	50
	226/29	0	04	50
	226/43	0	25	00

[सं. O-12016/99/91-ओ एन जी डी-4]

एम. माटिन, डेप्ट. अधिकारी

New Delhi, the 17th June, 1993

S.O. 1421.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S. O. No. 3160, dated 12-12-1991 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right or user in the said land specified in the schedule appended to this notification hereby asquired for laying the pipeline;

And further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

## SCHEDULE

Pipeline from Becharaji EPS to Mehsana C.T.F.

State : Gujarat	District : Ahmedabad	Taluka : Viramgam		
Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Telavi	Cart track	0	02	40
	27	0	19	90
	18	0	13	90
	20/P	0	41	70
	19	0	35	50
	14/P	0	25	98
	13	0	09	90
	43/1	0	92	00
	48	0	16	46
	47/P	0	15	50
	46	0	02	42
	185	0	10	40
	Cart track	0	09	00
	220	0	48	80
	222	0	20	20
	223/P	0	10	10
	221/P	0	40	90
	210/P	0	02	00
	209/27	0	01	08
	209/28	0	05	95
	209/29	0	07	00
	209/30	0	08	70
	209/32	0	12	00
	209/34	0	01	20
	Cart track	0	02	00
	209/35	0	06	00
	209/36	0	07	00
	209/37	0	02	20
	Cart track	0	02	40
	209/26	0	14	50
	226/10	0	08	00
	226/11	0	03	25

1	2	3	4	5	अनुसूची
	226/15	0	08	50	संचारजी ई. पी एम में मैहसाना सी टी एफ तक पाइप लाइन बिछाना के लिए
	226/16	0	07	00	
	226/26	0	10	45	राज्य गुजरात जिला ब्रह्मदाबाद तालुका विशमगाम
	226/17	0	02	25	गांव सर्वे. हे. आर. से.
	226/27	0	21	50	(1) (2) (3) (4) (5)
	226/29	0	04	50	भटारीया 52 0 04 02
	226/43	0	25	00	49 0 18 35
					36 0 19 15
					37/1 0 05 20
					37/2 0 13 95
					39/1 0 16 25
					39/2 0 07 00
					28/3 0 18 61
					27/2 0 07 36
					27/3 0 22 40
					27/4 0 03 63
					काटें ट्रेक 0 02 40

[No. O-12016/99/91-ONG. D-IV]  
M. MARTIN, Desk Officer.

नई दिल्ली, 17 जून, 1993

का. आ. 1422-यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3161 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात्, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम, की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

[सं-ओ-12016/100/91/ओएनजी-डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1422.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S. O. No. 3161, dated 12-12-1991 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification.

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby asquired for laying the pipeline ;

And further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

## SCHEDULE

PIPELINE FROM BECHRAJI EPS TO MEHSANAC.T.F.

State : Gujarat District : Ahmedabad Taluka : Viremagam

Village	Survey No.	Hect- are	Acre	Centi- are
1	2	3	4	5
Bhatraiya	52	0	04	02
	49	0	18	35
	36	0	19	15
	37/1	0	05	20
	37/2	0	13	95
	39/1	0	16	25
	39/2	0	07	00
	28/3	0	18	61
	27/2	0	07	36
	27/3	0	22	40
	27/4	0	03	63
	Cort tz0&k	0	02	40

[No. O-12016/100/91 ONG. D-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 17 जून 1993

का आ. 1423. यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3162 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय सेल और

प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

बेचराजी ई पी एस से मेहसाना सी टी एफ तक पाइप लाइन बिछाने के लिए—

राज्य गुजरात जिला अहमदाबाद तालुका विरमगामा

गांव	सर्वेन	हे.	अर.	से.
(1)	(2)	(3)	(4)	(5)
बालसासन	कार्ट ट्रैक	0	01	40
	54/पी	0	09	80
	53/4	0	04	50
	53/5	0	16	10
	52/पी	0	05	60
	58/पी	0	77	80
	59/2	0	03	00
	59/3	0	14	20
	60	0	08	40
	कार्ट ट्रैक	0	03	00
	68	0	03	85
	67/पी	0	31	50
	74/3	0	13	10
	74/4	0	01	20
	9/पी	0	46	60
	125/पी	0	24	20
	126/पी	0	01	98
	127/पी	0	16	30
	128/पी	0	26	80
	कार्ट ट्रैक	0	03	00
	135	0	08	60
	137/2	0	13	00
	137/5	0	02	50
	137/6	0	10	60
	138/3	0	16	50
	139/1	0	04	20
	कार्ट ट्रैक	0	02	00
	191/पी	0	28	00
	196/1	0	06	40
	196/2	0	05	75
	196/3	0	05	05
	196/4	0	00	60
	196/5	0	01	40
	197	0	10	20
	198	0	17	10
	200/पी	0	03	75

(1)	(2)	(3)	(4)	(5)	1	2	3	4	5
	199/2	0	07	00		68	0	03	85
	199/3	0	07	50		67/PW	0	31	50
	199/4	0	06	20		74/3	0	13	10
	201/2	0	10	00		74/4	0	01	20
	201/1/3	0	08	00		9/P	0	46	60
	202/पी	0	02	80		125/P	0	34	20
	218/1	0	08	50		126/P	0	01	98
	218/2	0	13	00		127/P	0	16	30
	218/4	0	06	50		128/P	0	26	80
	217	0	17	50		Cart track	0	03	00
	216/2	0	00	17		135	0	08	60
	216/4	0	16	58		137/2	0	13	00
	216/6	0	06	59		137/5	0	02	50
	216/7	0	09	86		137/6	0	10	60
	243/1	0	01	60		138/3	0	16	50
	243/2	0	17	90		139/1	0	04	20
						Cart track	0	02	00
						191/P	0	28	00
						196/1	0	06	40
						196/2	0	05	75
						196/3	0	05	50
						196/4	0	00	60
						196/5	0	01	40
						197	0	10	20
						198	0	17	10
						200/P	0	03	75
						199/2	0	07	00
						199/3	0	07	50
						199/4	0	06	20
						201/2	0	10	00
						201/3	0	08	00
						202/P	0	02	80
						218/1	1	08	50
						218/2	0	13	00
						218/4	0	06	50
						217	0	17	50
						216/2	0	00	17
						216/4	0	16	58
						216/6	0	06	59
						216/7	0	09	86
						243/1	0	01	60
						243/2	0	17	90

[सं. ओ-12016/101/91 ओ एन जी -डी 4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June. 1993

S.O. 1423.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S. O. No. 3162, dated 12-12-1991 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby asquired for laying the pipeline;

And further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

## SCHEDULE

## PIPELINE FROM BECHARAJI FPS TO MEHSANA CTF.

State : Gujarat District : Ahmedabad Taluka : Viramgam

Village	Survey No.	Hect-are	Are	Centi-are
1	2	3	4	5
Balsasan	Cart track	0	01	40
	54/P	0	09	80
	53/4	0	04	50
	53/5	0	16	10
	52/P	0	05	60
	58/P	0	77	80
	59/2	0	03	00
	59/3	0	14	20
	60	0	08	40
	Cart track	0	03	00

[No. O-12016/101/91-ONG. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. आ. 1424.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3162 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

#### अनुसूची

वेन्नगजी ई. पी. एम. से मेहमाना सी. टी. एफ. तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात		जिला व तालुका : मेहमाना		
गाँव	सर्वे नं.	हेक्टेयर	आर	सेन्टीयर
(1)	(2)	(3)	(4)	(5)
धनपुरा	677	0	02	18
	कार्ट ट्रैक	0	08	00
	685	0	30	00
	683	0	00	12
	679	0	05	76
	680	0	22	00
	681	0	00	30
	665	0	06	00
	कार्ट ट्रैक	0	06	00
	664	0	11	00
	663	0	12	50
	662	0	02	25
	कार्ट ट्रैक	0	05	40
	398	0	16	10
	396	0	08	20
	402	0	12	00
	403	0	00	80
	401	0	07	40
	409	0	08	06
	408/1/पी	0	01	75
	410	0	01	05
	411/पी	9	00	36
	412	0	18	70

(1)	(2)	(3)	(4)	(5)
	426	0	18	00
	414	0	04	20
	425	0	05	60
	424	0	08	20
	422	0	02	08
	423	0	04	60
	445	0	16	40
	कार्ट ट्रैक	0	03	60
	330	0	05	00
	329/1	0	07	80
	329/2	0	07	80
	324	0	08	90
	323	0	08	80
	322/2	0	01	44
	320	0	14	40
	319	0	04	50
	318	0	09	00
	317	0	10	80
	300/1/पी	0	00	48
	299	0	08	70
	283	0	06	60
	284	0	08	60
	285	0	05	50
	281	0	04	80
	280	0	20	50
	255	0	06	30
	279	0	01	25
	256	0	26	50
	263	0	05	20
	260	0	21	00
	248	0	01	28

[सं. ओ—12016/102/91/ओ एन जी-डी-4]

एम. मार्टिन, डैस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1424.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3162 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

#### SCHEDULE

Pipeline from Becharaji EPS To Mehsana CTF.

State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Dhanpura	677	0	02	18
	Cart track	0	08	00
	685	0	30	00
	683	0	00	12
	679	0	05	76
	680	0	22	00
	681	0	00	30
	665	0	06	00
	Cart track	0	06	00
	664	0	11	00
	663	0	12	50
	662	0	02	25
	Cart track	0	05	40
	398	0	16	10
	396	0	08	20
	402	0	12	00
	403	0	00	80
	401	0	07	40
	409	0	08	06
	408/1/P	0	01	75
	410	0	01	05
	311/P	0	00	36
	412	0	18	70
	426	0	18	00
	414	0	04	20
	425	0	05	60
	424	0	08	20
	422	0	02	08
	423	0	04	60
	445	0	16	10
	Cart track	0	03	00
	330	0	05	00
	329/1	0	07	80
	329/2	0	07	80
	324	0	08	90
	323	0	08	80
	322/2	0	01	44
	320	0	14	40
	319	0	04	50
	318	0	09	00
	317	0	10	80
	309/1/P	0	09	48
	299	0	08	70

[No. O-12016/102/91-ONC.D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. ग्रा. 1425—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. ग्रा. सं. 3163 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने को ब्रजाय देल और प्राकृतिक गैस आयोग में, सभी वायाया से मुक्त, रूप से घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

बेचाराजी ई. पी. एस. से मेहसाना सी. टी. ऐफ तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : मेहसाना	तालुका : कड़ी		
गाव	ख न	हेक्टेयर	आरे	सेंटियर
चालासन	117	0	17	35
	116	0	10	45
	115	0	06	90
	114/2/3	0	15	30
	86/1	0	01	08
	86/2	0	09	24
	85/पी	0	02	35
	89	0	11	70
	90	0	16	85
	91/1/पी/4	0	06	48
	91/2/पी	0	19	40
	93	0	12	85
	कार्टट्रेक	0	12	85
	71	0	17	05
	72	0	16	89
	65/2	0	18	30
	64/1/4	0	25	60
	64/2/3	0	12	00
	64/3/2	0	08	80
	कार्टट्रेक	0	01	01
	63	0	23	86
	62/पी	0	00	32

[सं. ओ—12016/103/91/ओएनजी—डी-IV]

एम. मार्टिन, डेस्क अधिकारी

S.O. 1425.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3163 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification,

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

## SCHEDULE

Pipeline from becharaji FPS To Mehsana CTF.

State : Gujarat	District : Mehsana	Taluka : Kadi		
Village	Survey No.	Hec-tare	Are	Centiare
Chalasan	117	0	17	35
	116	0	10	45
	115	0	06	90
	114/2/3	0	15	30
	86/1	0	01	08
	86/2	0	09	24
	85/P	0	02	35
	89	0	11	70
	90	0	16	85
	91/1/P/4	0	06	48
	91/2/P	0	19	40
	93	0	12	85
	Cart track	0	02	85
	71	0	17	05
	72	0	16	89
	65/2	0	18	30
	64/1/4	0	25	60
	64/2/3	0	12	00
	64/3/2	0	08	80
	Cart track	0	01	01
	63	0	23	86
	62/P	0	00	32

[No. O-12016/103/91-ONG. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. आ. 1426 —यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3176 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार की पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकर्ष ने अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में



संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

#### अनुसूची

डब्ल्यू. एच. आई. -10 से सोभासन जी. जी. एस./ सी. टी. एफ. तक पाइपलाइन बिछाने के लिए—

राज्य : गुजरात	जिला एवं तालुका : मेहसाना	गांव	सर्वे. नं.	हेक्टेयर आरे	सेन्टीआर
		पूनासन	113	0 00	15
			114	0 03	75
			115	0 01	42
			116	0 01	62
			127	0 05	30
			126	0 01	25

[मं. ओ-12016/115/91/ओएनजी डी-4]

एम मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1426.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3176 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

#### SCHEDULE

Pipeline from WHI-10 To Sobhasan GGS/CTF.

State : Gujrat District & Taluka : Mehsana

Village	Survey No.	Hec-tare	Are	Cen-tiare
Punasan	113	0	00	15
	114	0	03	75
	115	0	01	42
	116	0	01	62
	127	0	05	30
	126	0	01	35

[No. O-12016/115/91-ONC.D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. आ. 1427 '—यत' पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3175 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यत सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यत केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों का उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

## SCHEDULE

डब्ल्यू. एच. आई. —10 से सोमासन जी. जी. एस./सी. टी. एफ. तक पाइप लाइन बिछाने के लिए

Pipeline from WHI-10 To Sobhasan GGS/CTE.

State : Gujarat

District & Taluka : Mehsana

राज्य - गुजरात	जिला एवं तालुका मेहसाणा			
गांव	ब्लॉक नं.	हेक्टेयर आर	सेन्टीआर	
हेबुवा	178	0	00	55
	288	0	01	00
	160	0	04	18
	165	0	05	70
कार्टट्रैक	0	00	40	
	166	0	04	90
	167	0	00	28
	117	0	03	50
	116	0	04	10
	109	0	08	60
	112	0	04	15
	106	0	04	00
	99	0	05	75
	96	0	05	16
	100	0	02	90

Village	Block No.	Hec-tare	Are	Centiare
Hebuva	178	0	00	55
	288	0	01	00
	160	0	04	18
	165	0	05	70
	Cart track	0	00	40
	166	0	04	90
	167	0	00	28
	117	0	03	50
	116	0	04	10
	109	0	08	60
	112	0	04	15
	106	0	04	00
	99	0	05	75
	96	0	05	16
	100	0	02	90

[No. O-12012/112/91-ONG. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. आ. 1448 —यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3174 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय

[सं. आ. —12016/114/91/ओएनजी-डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June 1993

S.O. 1427.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 3175 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of the section 6 of the said Act, submitted report to the Government;

And further, whereas, the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

सरकार में निहित होने की वजह से तेल और प्राकृतिक गैस आयाग में, सभी वादाया मे मन्त रूप में घोषणा के प्रकाशन की इस तारीख का निहित होगा।

### अनुसूची

डब्ल्यू. एच. आई. — 10 से सोभासन जी. जी. एस. सी. टी. एम. तक पाइप लाइन बिछाने के लिए:

राज्य—गुजरात	जिला एवं तालुका—मेहसाणा	गांव	ब्लॉक नं.	हेक्टेयर और	सेन्टीआर
		सोभासन	29	0 01	53
		कार्टट्रेक	0 00	95	
		31	0 08	73	
		कार्टट्रेक	0 00	45	
		47	0 04	50	
		43	0 01	28	
		46 1	0 00	90	
		45	0 03	75	
		44	0 01	30	
		60	0 00	16	
		39	0 03	15	
		65	0 03	20	
		64	0 00	09	
		68	0 03	70	
		67	0 01	30	
		66	0 03	50	
		कार्टट्रेक	0 00	35	
		81	0 02	60	
		82	0 04	80	
		83	0 00	65	
		84	0 01	75	

[सं. ओ.—12016/113/91/ओ एनजी-जी डी-4]

एम. मार्टिन, डैस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1428.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 3174 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of the section 6 of the said Act, submitted report to the Government;

And further, whereas, the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said

land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

### SCHEDULE

Pipeline from WHI-10 To Sobhasan GGS/CTF.

State : Gujarat	District & Taluka : Mehsana			
Village	Block No.	Hec-tare	Arc	Cent-tiare
Sobhasan	29	0	01	53
	Cart track	0	00	95
	31	0	08	73
	Cart track	0	00	45
	47	0	04	50
	43	0	01	28
	46/1	0	00	90
	45	0	03	75
	44	0	01	30
	60	0	00	16
	39	0	03	15
	65	0	03	20
	64	0	00	09
	68	0	03	70
	67	0	01	30
	66	0	03	50
	Cart track	0	00	35
	81	0	02	60
	82	0	04	80
	83	0	00	65
	84	0	01	75

[No. O-12016/113/91 ONC. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. भा. 1429 —यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में में उपयोग के अधिकार का अधिनियम), 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. भा. सं. 3173 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइन बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैर आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

#### अनुसूची

डब्ल्यू. एच. आई.—10 से सोभासन जी. जी. एस. सी. टी. एफ. तक पाइपलाइन बिछाने के लिए :—

राज्य : गुजरात	जिला—मेहसाणा	तालुका — कडी			
गांव	ब्लॉक नं.	हेक्टेयर	आर	सेन्टीआर	
कुकास	320	0	08	80	
	314	0	04	20	
	313	0	08	50	
	311	0	05	98	
	312	0	01	71	
	310 पी	0	20	96	
	309	0	04	30	
	कार्टट्रेक	0	00	42	
	307	0	00	38	
	299	0	06	45	
	300	0	06	15	
	303	0	05	10	
	290 पी	0	00	43	
	289	0	08	77	
	284	0	13	60	
	276	0	02	85	

[सं. ओ.-12016/112/91/ओएनजी-डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1429.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3173 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of the section 6 of the said Act, submitted report to the Government;

And further, whereas, the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to his notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

#### SCHEDULE

Pipeline from WHI-10 To Sobhasan GGS/CTF.

State : Gujarat District : Mehsana Taluka : Kadi

Village	Block No.	Hec-tare	Are	Cent-tiare
Kukas	320	0	08	80
	314	0	04	20
	313	0	08	50
	311	0	05	98
	312	0	01	71
	310/P	0	20	96
	309	0	04	30
	Cart track	0	00	42
	307	0	00	38
	299	0	06	45
	300	0	06	15
	303	0	05	10
	290/P	0	00	43
	289	0	08	77
	283	0	13	60
	276	0	02	85

[No. O-12016/112/91 ONC. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. आ. 1430 :—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3172 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिर्णय किया है।

अथ, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और अग्रे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

सोभासन जी. जी. एम. —II से सी. टी. एफ.  
सोभासन तक पाइपलाइन बिछाने के लिए :—

राज्य : गुजरात	जिला एवं तालुका—मेहसाणा			
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीआर
पूनासन	404 2	0	05	15
	360	0	01	37
	403	0	00	95
	372	0	02	98
	402	0	00	05
	373	0	04	60
	374	0	03	90
	393	0	00	36
	392	0	03	20
	कार्टट्रेक	0	01	05
	391	0	02	78
	390	0	04	22
	389	0	00	31
	432	0	01	05
	433	0	01	75
	434	0	02	35
	कार्टट्रेक	0	00	25
	90	0	01	50
	4	0	02	70
	3	0	02	55
	कार्टट्रेक	0	00	20
	68	0	05	95
	73	0	00	08
	87	0	01	31
	74	0	01	11
	86	0	06	08
	80	0	00	98
	82	0	05	56
	81	0	00	78

[सं. ओ-12016/111/91/ओएनजी-4-डी]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1130.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3172 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of the section 6 of the said Act, submitted report to the Government;

And further, whereas, the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

## SCHEDULE

Pipeline from Sabhasan GGS II To CTF Sabhasan

State : Gujarat District &amp; Taluka : Mehsana

Village	Block No.	Hec-tare	Are	Centiare
Punasan	404/2	0	05	15
	360	0	01	37
	403	0	00	95
	372	0	02	98
	402	0	00	05
	373	0	04	60
	374	0	03	90
	393	0	00	36
	392	0	03	20
	Cart track	0	01	05
	391	0	02	78
	390	0	04	22
	389	0	00	31
	432	0	01	05
	433	0	01	75
	434	0	02	35
	Cart track	0	00	25
	90	0	01	50
	4	0	02	70
	3	0	02	55
	Cart track	0	00	20
	68	0	05	95
	73	0	00	08
	87	0	01	31
	74	0	01	11
	86	0	06	08
	80	0	00	98
	82	0	05	56
	81	0	00	78

[No. O-12016/111/91/ONG. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 17 जून, 1993

का. आ. 1431 :—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में (उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3171 तारीख 12-12-91 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस, आयोय में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

मोभासन जी. जी. एस.—II से सी. टी. एफ.

मोभासन तक पाइप लाइन बिछाने के लिए :—

राज्य : गुजरात	जिला	एवं तालुका—	हेडमागा	
गांव	ब्लाक नं.	हेक्टेयर आर	सेन्टीआर	
1	2	3	4	5
जागदल	463	0	01	25
	467	0	01	15
	466	0	03	70
	465	0	06	78
	472	0	01	40
काटेद्रेक		0	00	55
	637	0	03	60
	611	0	06	10
काटेद्रेक		0	00	20
	610	0	01	60
	615	0	03	65

1	2	3	4	5
जागदल-जारी	काटेद्रेक	0	00	66
	607	0	05	45
	535	0	04	50
	534	0	03	85
	533	0	01	28
	532	0	01	60
	537	0	01	93
	काटेद्रेक	0	00	48
	531	0	00	23
	544	0	02	80
	549	0	02	05
	काटेद्रेक	0	00	15
	559	0	08	40
	560	0	00	50
	561	0	02	40
	562	0	02	90
	काटेद्रेक	0	00	30
	565	0	04	30
	567	0	03	75
	1013	0	04	25
	1026	0	03	60
	1017	0	03	05
	काटेद्रेक	0	00	30
	1050/1	0	06	65
	1051	0	05	20
	1048	0	00	08
	1045/2	0	04	22
	1046	0	01	02
	1045/1	0	00	63
	1044/2	0	02	37
	1058	0	04	35
	काटेद्रेक	0	00	15
	1061	0	05	33
	1054	0	00	27
	1062	0	07	48
	1079	0	00	35
	1080	0	03	55
	1078	0	03	00
	1077	0	01	40

[सं. ओ.—12016/110/91/आप्तजी-डी-4]

एम. मार्टिन, डैस्क अधिकारी

New Delhi, the 17th June, 1993

S.O. 1431.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 3171 dated 12-12-91 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of the section 6 of the said Act, submitted report to the Government;

And further, whereas, the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

#### SCHEDULE

Pipeline from Sobhasan GGS II To CTF Sobhasan

State : Gujarat District & Taluka : Mehsana

Village	Block No.	Hec-tare	Acre	Centi-tiare
1	2	3	4	5
Jagudan	463	0	01	25
	467	0	01	15
	466	0	03	70
	465	0	06	78
	472	0	01	40
	Cart track	0	00	55
	637	0	03	60
	611	0	06	10
	Cart track	0	00	20
	610	0	01	60
	615	0	03	65
	Cart track	0	00	60
	607	0	05	45
	535	0	04	50
	534	0	03	85
	533	0	01	28
	532	0	01	60
	537	0	01	93
	Cart track	0	00	48
	531	0	00	23
	544	0	02	80
	549	0	02	05
	Cart track	0	00	15
	559	0	08	40
	560	0	00	50
	561	0	02	40
	562	0	02	90
	Cart track	0	00	30
	565	0	01	30
	567	0	03	75
	1013	0	04	25
	1026	0	03	60
	1017	0	03	05
	Cart track	0	00	30
	1050/1	0	06	65
	1051	0	05	20
	1048	0	00	08
	1045/2	0	04	22
	1046	0	01	02
	1045/1	0	00	63
	1044/2	0	02	37

1	2	3	4	5
	1058	0	04	35
	Cart track	0	00	15
	1061	0	05	33
	1054	0	00	27
	1062	0	07	48
	1079	0	00	35
	1080	0	03	55
	1078	0	03	00
	1077	0	01	40

[No. O-12016/110,91/ONG. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 3 जून, 1993

का.आ. 1432 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, आंध्रा बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निदोष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

[संख्या एल-12011/35/88-डी-2(ए)]

हरी गौड़, डेस्क अधिकारी

New Delhi, the 3rd June, 1993

S.O. 1432.—In pursuance of Section 17 of Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Andhra Bank and their workmen, which was received by the Central Government on 3-6-1993.

[No. I-12011/35/88-D.II-A]

HARISH GOUR, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT  
HYDERABAD

PRESENT :

Sri V. Venkatachalam, M.A., B.L., Industrial Tribunal.  
Fifteenth Day of May Nineteen Hundred Ninety Three  
Industrial Dispute No. 93 of 1988

#### BETWEEN

The Workmen of Andhra Bank, represented  
By A. B. Workers' Union, Flat No. 506,  
V Floor, Matrusri Apartments, Hyderguda,  
Hyderabad-500029.

#### AND

The Management of Andhra Bank, represented  
by its Chairman and M.D., Andhra Bank,  
Central Office, Sultan Bazar, Hyderabad. —Respondent.

APPEARANCES :

M/s. V. Venkata Ramana, V. Srinivas, B. T. Rani and  
N. V. Sharma, Advocates for the Petitioner—  
Workmen.

M/s. K. Srinivasa Murthy and Miss G. Sudha, Honorary Secretaries of the Federation of A.P. Chamber of Commerce and Industry for the Respondent—Management.

#### AWARD

The Government of India, Ministry of Labour, by its Order No. 1-12011/35/88-D.II(A) dated 14-9-1988 referred the following dispute under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 between the employer in relation to the management of Andhra Bank and their workmen to this Tribunal for adjudication:

"Whether the action of the Management of Andhra Bank in stopping the special allowance granted to S/S D. V. Jaganmohan Rao, P. Swarna Syamala, K. Lakshma Reddy, K. Ravindra Babu, K. Ram-mohan, S. Ravi Kumar, Shoba Rani, P. S. S. Raju, K. Vijaya Prasad, T. Vidyavathi and Srinivasan is justified? If not, to what relief are the concerned workmen entitled?"

This reference was registered as Industrial Dispute No. 93 of 1988 and notices were given to the parties.

2. The brief averments of the claim statement filed by the Petitioner read as follows:—On 19-3-1981 the Management entered into a settlement during conciliation proceedings as provided under Section 12(3) of I.D. Act, specifying the procedure to be adopted for entrustment of Special Allowance duties to Clerical /Subordinate cadre and the same settlement is in force till date. On 8-9-1983 an All India Industrial Bi-partite Settlement was entered into by the Indian Bankers' Association and the Trade Unions with regard to Mechanisation and computerisation, wherein it is provided that if any new category of employees are appointed as a result of such computerisation, such employees shall be paid Special Allowance as applicable to Machine Operators. In accordance with the above settlements, the Andhra Bank Management has introduced Ledger Posting Machines during the months of March/April, 1986 in some of the Branches of the Bank and appointed the advanced ledger posting machine operators, paying Special Allowance of Rs. 216.00 per month after giving necessary training to these employees. The contention of the Management that the operators were posted on Ad-hoc basis considering branch seniority is false and misleading. On the contrary the appointments were on regular and permanent nature. However on 11-11-1987 the Bank Management took a unilateral decision to stop payment of special allowance to the ALPM operators under the pretext that they are not actually operating the machines, and withdrew the allowance without giving any reasons, violating the terms of settlement. The contentions of the Management that the machines installed were not functioning properly for the reason that the employees lack necessary aptitude, skill, initiative is a blatant lie and contrary to the facts. In view of Para 5.9 of Bi-partite Settlement dated 19-10-1966 once an employee is appointed in a special allowance post paying the allowance on permanent/regular basis the same can be withdrawn by the Management only under two circumstances i.e. (1) where the employee drawing special allowance makes a representation or his relief from such duties and his request is considered (2) where a charge-sheet is served on an employee for gross misconduct and a domestic enquiry held and the management decided to award punishment of withdrawal of the special allowance. The above principle is well accepted through the banking industry and there are several precedents. The act of the Management in withdrawing the special allowance unilaterally without giving any notice is arbitrary and violative of the provisions of I.D. Act. Section 9A of the I.D. Act makes it mandatory on the part of the Management to give notice of at least 21 days before effecting any change in the conditions of service of workmen. The Management of Andhra Bank has not issued any notice as mandatory under the Act, before withdrawing the special allowance. Hence the act of the Management is illegal and void. Hence we request you to prevail upon the management of Andhra Bank to (a) restore special allowance to all those who were appointed as ALPM operators and whose special allowance has been withdrawn by the Management with retrospective effect from the date of withdrawal (November, 1987). It may be noted that due to the withdrawal of the special allowance the employees have sustained a loss of Rs. 350.00 per month from the date of withdrawal. (b) In case the

Management decides to shift the ALPMs from the branches where the ALPM operators were already posted to absorb these operators in those branches. (c) to restrain from appointing any new ALPM operators till all the employees who were already appointed as ALPM operators are re-absorbed. (d) to fill up all the posts which have fallen vacant due to transfer/promotions of already appointed ALPM operators which were not filled up so far. The Management of our Bank entered into a settlement with the so-called recognised Union i.e. The Andhra Bank Employees Union, a puppet Union of the Management, to pre-empting the above demands of our Union. In this connection, we draw your attention to the memorandum of settlement dated 29-3-1987 between the IBA and Bank Employees Unions wherein certain guide lines, clarifications were set out modifying certain provisions of the settlement dated 8-9-1983, on mechanisation and computerisation. The opening paragraph of the terms of settlement makes it abundantly clear that the new settlement shall not prejudice any of the subsisting settlement in any of the Banks. Any change in the present procedure of appointment of ALPM operators shall not bind those employees who were already appointed. Further all those posts of ALPM operators, which have fallen vacant due to promotion/transfer etc., of the already appointed operators before the date of settlement shall be filled up as per the existing settlement. The settlement entered into by the Management with Andhra Bank Employees Union is illegal, inoperative and shall not bind the members of any other Union. This settlement is contrary to the industry wise settlement on computerisation.

3. The brief averments of the counter filed by the Respondent read as follows: It is submitted 4 out of 11 employees whose names are mentioned in the order of reference filed W.P. No. 9115/1988 claiming relief from the Hon'ble High Court to issue writ of Mandamus directing the Bank to continue the petitioners therein and contesting the right of the management in asking them to appear for the test in pursuant to the machines. Infact on many occasions they were manually doing the work being not in a position to operate the machines. The said W.P. is pending before the Hon'ble High Court. Now they have raised a contention that the Management should continue to pay them the allowance which was being given to those persons who operate ALP machines. It is submitted the purpose for which persons have been asked to be trained and to get through examination is to see that machines are put to good use and employees get trained and bank is benefited. It is because the Bank is benefited by their additional work, they are being paid allowance, i.e. as and when they operate the machines. The allegations made in para 4 of the claim statement are not correct. The counter filed in the W.P. clearly points out the circumstances under which the settlement was entered into and these persons were asked to undergo training and sit for examination. So long as they do not operate the machines the question of paying special allowance does not arise. It is only for the purpose of operating the machines the settlement was entered into for the purpose of payment in view of additional skill required by them for operating the same. Para 5.9 of Bipartite Settlement is not relevant to this case. Actually Bipartite settlement deals with cases where specific persons are appointed to specific posts like Head Clerk or Steno they are promoted to that post and so long as they are in that category they are paid special allowance as stipulated therein. Once they are permanently appointed as can be seen from 5.9 the word permanent issued. Now there is no such permanent appointment of the claimants to the post of ALPM Operators and 5.9 is not applicable at all to this case. The interpretation given to para 5.9 is that once employee is appointed to the post and carry on the functions then he becomes entitled to special allowance is not correct. It is contrary to para extracted in the claim statement. Regarding the case of Sri Yousuf Khan sub-staff member working as Driver, that is a matter of Writ Appeal No. 1114/88 which is pending in the Hon'ble High Court. Regarding Canara Bank case what is being specified is settlement and how the settlement was entered into and that has no relevancy at all



to this case. There is no change of term of condition of service. They are not permanently employed as ALPM Operators. It is only entrustment of certain work and as long as they do the work they are being paid special allowance. So long as they are not carrying on particular job they will not be entitled for payment. The allegation that action of the management is arbitrary is not correct. Counter filed in the W.P. No. 9115 of 1988 may be read as part and parcel of this reply statement which gives clear and full facts. Actually what is being asked is for interfering with the material functions and not any enforcement of the existing right. The settlement is bringing on all the parties. This reference is contrary to the terms of the settlement. It is not open to one of the Unions to contend that settlement is no binding on them nor can employees insist that they should be transferred to a place where ALP machines are in operation. That cannot be claimed as of right. They are guided by what is stipulated in the settlement and we will implement and we are following the settlement. In view of what has been stated above no case has been made out for interference and the reference as made may be rejected.

4. The point for consideration is whether stopping of special allowance granted to S/S. D. V. Jaganmohan Rao and 10 others is justified?

5. The workman examined W.W.1 and marked Ex. W1 to W7. Whereas the Management examined M.W.1 and marked Exs. M1 and M2 on their behalf.

6. W.W.1 who is the General Secretary of the Andhra Bank Workmen's Union. According to him on behalf of the Petitioner-workmen deposed that their bank introduced Advance Ledger Posting Machine in some of the Branches and those machines are known as A.L.P. Machines. Their Management asked the options of the employees to be posted as Operators of those Machines, since the operators will be paid special remuneration. The Management issued such a circular with regard to the Machine Operators on 18-3-1986 and it is Ex. W1. In pursuance of that circular, some of the employees of their Bank applied for those posts. The Bank after making selections, appointed some of the employees by transfer to the posts of operators. Ex. W2 is one of the appointment orders relating to one operators, and the wording of the appointment orders of the other operators are also identical. According to him either in Ex. W1 or W2 the Management did not state that the appointment of Operator is purely temporary or on ad-hoc basis. An agreement reached between the workmen and the management under Ex. W3 dated 19-3-1991, governs all cases of special allowances. When once a special allowance is granted to an employee, it continues permanently, till either the employee voluntarily gives it up, or till the special allowance was cut off due to any disciplinary action. There was an agreement between the Indian Banks Association which represents the managements of all the Banks, and the workers Unions representing all the bank employees as per Ex. W4 dated 8-9-1983 with regard to the computerisation. It is only in pursuance of Ex. W4 the Andhra Bank introduced A.L.P. machines in some branches. In November, 1987, their Management issued a Circular Ex. W5 discontinuing the special allowance with regard to those workers, who are not working on the machines. After working the machines in some branches, the Management thought it fit, to shift the machines from some of the Branches to some other branches. In such cases, instead of transferring the Operators also along with the machines, the Operators were left behind, and in order to avoid payment of special allowances to such of those workers who ceased to operate the machines, this Circular was issued. In the year 1987, there was another Agreement on the All India basis as per Ex. W6 dated 29-3-1987 with regard to all the banks. At page 4 of Ex. W6 the red marked stipulation relates to maintain status quo with regard to the special allowances. The Management continued to pay the special allowances even to some of the employees who ceased to operate the machines as per Ex. W7 proceedings dated 28-2-1989. Before discontinuing the payment of special allowance under Ex. W5 in November, 1987, the Management did not give any prior notice about the same. Hence, the withdrawal of special allowance under Ex. W5 is not valid. Therefore, the special allowance to the workman named in the reference may be restored with retrospective effect from the date of discontinuation.

7. M. W-1 who is the Deputy Chief Officer, Personnel Department, Andhra Bank. In his deposition he stated that the employees connected in the reference in this case, filed W.P. No. 16/78 of 1987 on the file of the High Court of Andhra Pradesh for the same relief claimed in this I.D. The said writ petition was disposed of the Order dated 4-2-1988. The carbon copy of the said order is Ex. M-1. The reason for making use of the advance ledger posting machines is to ensure quick disposal and accuracy. The workman involved in this reference filed another writ petition in W.P. No. 9115/88 on the file of High Court of A.P. for declaring the action of the Bank in not continuing the petitioner therein and directing them to appear for the written test, is illegal. The first Settlement was entered into on 8-9-1983. Subsequently, another settlement dated 27-3-1987 was entered into and this settlement provided for conducting aptitude test for selection of A.L.P.M. Operators. The Bank is paying special allowance of Rs. 350.00 per month to the employees who operate the A.L.P.Ms. The other employees are not entitled for such any allowance as they are not operating the A.L.P.Ms. Special allowance posts are only entrustment of work to some of the employees and it is not a separate category of posts for appointment. The special allowance is being paid to the employees who are entrusted with the special work as they are discharging the certain specialised job requiring special skill and knowledge. The Respondent-Bank purchased more than 100 A.L.P. Machines. By the time the A.L.P. Machines were installed in their Bank, the then employees were not having any job knowledge or skill to operate those machines. The selection of A.L.P.M. Operators is based on the agreement dated 7-3-1988 entered into between the Management and the employees' Union. Ex. M-2 is the circular dated 21-4-1988 issued by the Management in respect of the procedure to be followed in the selection of A.L.P.M. Operators. Candidates interested to be selected as A.L.P.M. Operators have to undergo an aptitude test conducted by the management. The petitioner's Union has been demanding that the employees in this reference should be paid A.L.P.M. Operator's allowance without discharging the special allowance duties of A.L.P.M. Operators. An employee who discharged the A.L.P.M. Operator's duty in a particular branch of the Respondent-Bank, transferred to another branch where there is no A.L.P.M. is not entitled for any special allowance of A.L.P.M. Operator as he will not be discharging the special allowance duties in that Branch to which he is transferred. It is not correct to state that the settlement in Ex. W-6 is not applicable to the workmen involved in this reference. The petitioner's Union did not issue any notice of termination of the settlement in Ex. W-6.

8. The material facts in this case are not in dispute, the only point for consideration is whether stopping of Special Allowance granted to the workmen concerned in the reference is justified or arbitrary and untenable.

9. The contention of the Petitioner-workmen that in accordance with the settlements, the Andhra Bank Management has introduced Advance Ledger Posting Machines during the months of March/April, 1986 in some of the Branches of the Bank and appointed the Advance Ledger Posting Machine Operators by paying Special Allowance of Rs. 216.00 per month after undergoing necessary training to those employees. The contention of the Management is that the Operators were posted on Adhoc basis considering Branch seniority. But the averments of the Petitioner-workmen is that the appointments were on regular and permanent nature. Now let us see whether the operator of A.L.P.M. is adhoc or temporary. Ex. W-1 is a Circular issued by the Regional Office of the Bank notifying vacancies for 'Accounting Machine Operators' at the branches in accordance with C.O. Cir. No. 82/Stf./21, dated 24-9-1981. It is no where mentioned that the vacancies of Accounting Machine Operators is on adhoc basis or temporary basis. Even in Ex. W2 Office Order one Mr. S. Raviumar Clerk working in Hyderguda Branch is transferred to Chikkadpally Branch with immediate effect as Accounting Machine Operator. He is eligible to draw the allowance applicable to his cadre from the date of his performing duties of accounting machine operator at Chikkadpally branch. This office order does not mention about the post of Operator being a temporary or adhoc basis. The Next contention of the Petitioner-workman is that the act of the Management in withdrawing the Special allowance unilaterally without giving any notice is arbitrary and violative of the provisions of I.D. Act. Section 9-A of the I.D. Act makes it mandatory on the part of the Mana-

gement to give notice of atleast 21 days before effecting any change in the conditions of service of workmen. Hence the act of the Management is illegal and void. In the counter of the Management there is no whisper regarding issuing of Section 9-A of the I.D. Act notice. I find that it is mandatory on the part of the Management to issue notice under Section 9-A of the I.D. Act which it did not do so. On the other hand the Management has issued Ex. W-3 Circular stating that 'it is in the fitness of things that allowance should be paid for those who are actually discharging the duties. Therefore, we advise you to stop payment of special allowance to all such employees immediately'. Then at a later stage the Management issued another Circular under Ex. W-7 stating that 'we advise you to continue to pay the special allowance to the ALPM Operators though the machines have been removed from the Branch'. I find that the Management is violating the terms of settlement, adversely affecting the service conditions of employees. The other contention of the Management is that the machines installed were not functioning properly for the reason that the employees lack necessary aptitude, skill, initiative. The evidence of M.W.-1 in cross examination is that the selected employees were given training on the accounting machines for sometime, and thereafter those persons have been operating the accounting machines independently. I am unable to understand how the employees lack necessary aptitude, skill and initiative to say that the machines installed were not functioning properly. On the other hand some of the ALP Machines were shifted from one Branch to another Branch for the simple reason to avoid paying Special Allowance to the existing ALPM Operators. It is also the case of the Petitioner that the Management continued to pay the special allowance even to some of the employees who ceased to operate the machines. But when it is not the case of the Management that any memo, were given to these Petitioners that their performance was not satisfactory or that this change had to be brought as a punishment, the claim of the petitioners against the stopping of Special Allowance to them has to be upheld. When it is a permanent entrustment and when they are willing to carry on the functions of that post, the withdrawal by the Management of the Special allowance to which they are entitled otherwise is certainly unfair and cannot at all be justified.

10. On a consideration of the evidence, facts and circumstances of the case, I am clearly of the view that the action of the Management in withdrawing the special allowance to these petitioners is wholly unjustified and the prayer of the petitioners has therefore to be allowed.

11. In the result, the action of the Management of Andhra Bank in stopping the special allowance granted to Sarvasri D. V. Jagamohan Rao, P. Swarna Syamala, K. Lakshma Reddy, K. Ravindra Babu, K. Rammohan, S. Ravi Kumar, Shobha Rani, P.S.S. Raju, K. Vijaya Prasad, T. Vidyavati and Sririvasan is not justified and the claim of the Petitioners to restore the Special allowance with retrospective effect from the date of withdrawal is hereby ordered.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 15th day of May, 1993..

Y. VENKATACHALAM, Industrial Tribunal

#### APPENDIX OF EVIDENCE

Witnesses Examined for the Petitioner :

W. W-1 Krishna Prasad Reddy.

Witnesses Examined for the Respondent :  
M. W-1 V. B. Bhagwati

Documents marked for the Petitioner.

Ex. W-1/18-3-86.—Photostat copy of the Circular No 676/3/1281, dated 18-3-1986 with regard to notification of vacancies for Accounting Machine operators for various branches of Andhra Bank.

Ex. W-2/29-3-86.—Photostat copy of the transfer order dated 29-3-1986 issued to S. Ravi Kumar by the Regional Manager, Regional Office Hyderabad and he is eligible to draw the allowance applicable to his cadre from the date of the performing duties of accounting machine operator at Chikkadpally Branch.

Ex. W-3/19-3-81.—Photostat copy of the Memorandum of Settlement dated 19-3-1981.

Ex. W-4/8-9-83.—Photostat copy of the terms of Settlement dated 8-9-1983.

Ex. W-4/11-11-87.—Photostat copy of the Cir. Ltr. No. 666/Stf./3/A-2/2379 dated 11-11-1987 of the Andhra Bank, Central Office, Hyd. with regard to payment of special allowance to advance, ledger posting machine operator.

Ex. W-6/29-3-87.—Photostat copy of the Memorandum of Settlement dt. 29-3-87 between the Management of 57 Banks as representative of the Indian Banks' Association and their Workman as representative by the Indian National Bank Employees Congress.

Ex. W-7/28-2-89.—Photostat copy of the letter dated 28-2-1989 addressed by the Manager (P&D) Officiating, Regional Office, Hyd. to the Manager, Kachiguda, Vidyanagar Branch with regard to payment of special allowance to ALPM Operators.

Document marked for the Respondent :

Ex. M-1 4-2-88.—Copy of the Hon'ble High Courts' Order dated 4-2-1988 in W.P. NO. 187778/87.

Ex. M-2/21-4-88.—Copy of the Memorandum of Settlement between the Management of Andhra Bank and Andhra Bank Employees Union.

नई दिल्ली, 9 जून, 1993

का.आ. 1433—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय जीवन बीमा निगम के प्रबन्धन के संवर्धनियों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-93 को प्राप्त हुआ था।

[संख्या एल-17012/19/86-डी-IV(ए)]

हरीश गौड़, डेस्क अधिकारी

New Delhi, the 9th June, 1993

S.O. 1433.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workmen; which was received by the Central Government on 8-6-93.

[No. L-17012/19/86-D.IV-A]

HARISH GAUR, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL TAMILNADU, MADRAS

Tuesday, 30th day of March, 1993

PRESENT :

Thiru M. Gopalaswamy, B.Sc., B.L.,

Industrial Tribunal,

Industrial Dispute No. 43 of 1987

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the

workman and the Management of Life Insurance Corporation of India, Coimbatore-18).

#### BETWEEN

Thiru R. Dhandapani,  
Himalayas No. 195, 6th Street,  
Kuppakemam Pudur Bost, Coimbatore-641038.

#### AND

The Senior Divisional Manager,  
L.I.C. of India, Divisional Office,  
India Life Building, No. 2810, Trichy Road  
Coimbatore-641018.

#### REFERENCE:

Order No. J-17012/19/86-D.IV(A), dated 15-4-87 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Tuesday, the 9th day of March, 1993, upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru-Valargal K. S. Jenkiran and K. M. Ramesh Advocates appearing for the workman and of Thiruvalargal P. V. Marthandam and S. Masilamani, Advocates appearing for the management and this dispute having stood over till this day for consideration, this Tribunal made the following.

#### AWARD

1. This dispute between the workmen and the management of Life Insurance Corporation of India, Coimbatore arises out a reference under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its order No. J-17012/19/86-D.IV(A), dated 15-4-1987 of the Ministry of Labour, for adjudication of the following issue:

"Whether the action of the management of the LIC of India, Coimbatore Divisional Office in removing Shri R. Dhandapani, Assistant (S.R. No. 10853) City Branch-II, Coimbatore from service with effect from 23-3-85 is justified? If not, to what relief is the workman concerned entitled?"

2. The petitioner states as follows: The petitioner after having been appointed as an Assistant in the Coimbatore office of the Respondent completed his probation and he was confirmed from 19-10-62 and posted at LIC Branch Office, Attur. Then he was transferred to Erode in January, 1965. By another transfer he was posted in the Divisional Office at Coimbatore and later to Branch Office-II at Coimbatore in 1977. In this Branch, his co-workers became enmity to him. He suffered harassment and humiliation. To avoid further complications, he wanted a transfer to the Divisional Office at Coimbatore. But he was transferred to the Branch Office at Attur on 17th December, 1983. The fact that he was a chronic asthma patient was known to the authorities. Since he was not in a position to take up his job at Attur and obey the transfer orders he applied for privilege leave on medical grounds for 45 days from 17-12-1983 and enclosed a medical certificate issued by a Government Doctor. The doctor has recommended leave for two months. Without granting leave the Senior Divisional Manager took action for the respondent's failure to take charge of the post at Attur, Salem District on the ground that he has wilfully absented from duty from 27-12-1983. The management compelled the petitioner to obtain the medical certificate only from a Doctor Mr. Shetty included in a panel prepared by the LIC. Then a domestic enquiry was conducted against the petitioner. He was set ex parte by the Enquiry Officer on 5-3-85 and an adverse report was given against him. Acting such report, Senior Divisional Manager accepted the findings and issued a second show cause notice by proposing the punishment of petitioner's removal from service. Finally, an order removing him from service have been passed on 25-3-85. The findings in the ex parte enquiry are illegal. The punishment of removal is harsh and excessive. An award may be passed for reinstatement of the petitioner in service granting him all benefits.

3. The Respondent states in the counter as follows: The petitioner has been earlier charge sheeted for three different

acts of misconduct. For the said acts of misconduct committed he was punished by reduction in basic salary by order dated 17-4-1984.

4. When he was transferred to the Attur Branch on 1-12-1983 he applied for 45 days privilege leave on the ground of sickness. The Senior Divisional Manager was right in refusing leave and advising him to apply for sick leave instead of privilege leave. The ex parte domestic enquiry held against the petitioner is lawful. Considering the previous conduct of the petitioner, the order removing him from service is just. The Respondent is entitled to insist that the petitioner must obtain medical certificate which is satisfactory to the corporation vide Regulation 30(1). The petitioner wilfully absented himself at the domestic enquiry on different dates. There is no justification in the claim of the petitioner for reinstatement. The petitioner has filed a rejoinder.

5. The fairness of the domestic enquiry was taken up as a preliminary issue and by order dated 29-7-1992, this Tribunal has held that the domestic enquiry was conducted fairly and in accordance with the principles of natural justice and Service Regulations. Therefore the following points now arise for determination:

(i) Whether the findings are correct?

(ii) Whether the punishment of removal from service calls for any modification?

6. Points (i) & (ii):

Exs. W-1 to W-45 and M-1 to M-26 have been marked by consent. A perusal of the Voluminous documents including the enquiry report Ex. M-21 convinces me that the findings recorded by the domestic enquiry officer M.W. 1. ChandraSekarn are correct. The petitioner believing that Asthma from which is suffering, is a valid ground for not obeying his transfer order had refused to assume charge of the post of Assistant in the LIC branch Office at Attur by availing his joining time upto 26-12-1983. The letters written by him Exs. W-3, W-4, W-5, W-6 and M-9 reveal the stubborn and adamant attitude of the petitioner in the face of the transfer order dated 14-12-1983. I presume that the facts that his wife is employed as a lecturer in a College at Coimbatore and his family is living in a house of his own at Coimbatore should be factors influencing him not to take charge of the post of Assistant at Attur.

7. Fearing that his colleagues in Coimbatore Branch Office II are his entrenched and eternal enemies he wanted a transfer to the Divisional Office at Coimbatore itself. The Senior Divisional Manager has declined to oblige by giving a local transfer and instead transferred him to Attur Branch in Salem District and petitioner was actually relieved on 17-12-1983 afternoon. The petitioner immediately reacted by writing Ex. M-9 letter dat. 17-12-1983 requesting grant of privilege leave for 45 days. This culminated in the charge sheet Ex. M-7, alleging that the petitioner has breached Regulation 30(1) vide Ex. M-25 Staff Regulations. In the normal course and as a dutiful servant he should have obeyed the transfer order by joining the post at Attur and then he could have thought of applying for leave granting of which is a matter within the discretion of the officer concerned. Hence it becomes very clear that the petitioner avoided assumption of charge at a new place Attur, Salem District as though the disease of asthma which he suffers from is adequate justification for non-compliance. Hence the findings have to be accepted as correct. Point No. 1 is answered affirmatively.

8. On the question of punishment, I feel that removal from service is a very harsh and extremely penalty which needs to be set aside. Instead of imposing any specific punishment, I am of the view that the petitioner should be deprived of 3/4th of back wages from 17-12-1983 the date when he was relieved on transfer. An order for reinstating him in service and allowing him all other benefits deserves to be passed for meeting the ends of justice. The point No. 2 is answered accordingly.

9. In the result, an award is passed in the following terms:

1. The order of removal of the petitioner from service is set aside.

2. The respondent is directed to reinstate the petitioner in service. The petitioner shall not be entitled to claim 3/4th of the back wages from 17-12-1983 till the date of reference, 15-4-1987.
3. The Respondent shall pay 1/4th of the back wages for the period between 17-12-1983 and 15-4-1987, the date of reference and full back wages from 16-4-1987.
4. The Petitioner shall get all other benefits including continuity of service.

There will be no order as to costs.

Dated, this 30th day of March, 1993.

THIRU M. GOPALASWAMY, Industrial Tribunal

#### WITNESS EXAMINED

For Workman : None

For Management :

M.W. 1.—Thiru R. Chandrasekaran.

#### DOCUMENTS MARKED

For Workmen :

- Ex. W-1/21-4-87—Certificate from Dr. A. R. Vijaya-kumar recommending leave to the Worker (R. Dandapani) for the months.
- W. 2/14-12-83—Copy of Workman's letter to Senior Divisional Manager, L.I.C. Coimbatore.
- W. 3/20-12-83—Letter from the workman to the Management Corporation.
- W. 4/18-2-84—Letter from the workman to the Zonal Manager, L.I.C., Madras enclosing xerox copy of Medical certificate dated 18-2-1984.
- W. 5/16-3-84—Letter from the workman to the Zonal Manager, L.I.C., Madras enclosing xerox copy of Medical certificate dated 15-3-1984.
- W. 6/11-4-84—Letter from the workman to the Senior Divisional Manager, L.I.C., Coimbatore, for grant of leave.
- W. 7/5-6-84—Letter from the workman to the Enquiry officer & Senior Divisional Manager, L.I.C., Madras enclosing xerox copies of Medical certificates dated 4-6-1984 & 11-4-1984.
- W. 8/12-6-84—Letter from the Enquiry Officer to the Workman (X. copy).
- W. 9/2-7-84—Letter from the workmen to the Chairman, L.I.C., Bombay enclosing xerox copy of Medical certificates dated 2-8-1984 & 2-7-1984.
- W. 10/28-7-84—Letter from Central Office of Management Corporation, Bombay to the workman.
- W. 11/3-8-84—Letter from Management Corporation to the workman.
- W. 12/27-8-84—Letter from Zonal Manager, L.I.C., Madras to the workman's letter dated 2-7-1984.
- W. 13/28-7-84—Letter from the workman to the Chairman, L.I.C., Bombay enclosing xerox copy of Medical certificate dated 28-7-1984.
- W. 14/8-8-84—Letter from Central Office, L.I.C., Bombay to the workman.
- W. 15/16-8-84—Letter from the Management Corporation to the workman.
- W. 16/23-8-84—Explanation by the workman to the charge sheet dated 16-8-1984.
- W. 17/20-9-84—Letter from the workman to the Management Corporation enclosing Medical Certificate dt. 19-9-1984 (X copy).
- W. 18/25-9-84—Letter from Management Corporation to the workman regarding non-payment of salary from December 1983 to September 1984.
- W. 19/18-10-84—Letter from the workman to the Management Corporation regarding non-payment of salary with xerox copy of medical certificate dated 17-10-1984.
- W. 20/22-10-84—Letter from Management Corporation to the workman refusing to grant leave.
- W. 21/15-11-84—Letter from the workman to the Management Corporation enclosing xerox copy of medical certificate, 14-11-1984.
- W. 22/17-11-84—Reply by the Management Corporation to Ex. W-21.
- W. 23/13-12-84—Copy of letter from the workman to the Management enclosing xerox copy of medical certificate dated 13-12-1984.
- W. 24/18-12-84—Letter from Management Corporation to the workman regarding granting of leave.
- W. 25/11-1-85—Reply by the workman to Ex. W-24 enclosing xerox copy of medical certificate.
- W. 26/18-1-85—Letter from Management Corporation to the workman in reply to Ex. W-25.
- W. 27/8-2-85—Letter from the workman to the Management Corporation enclosing xerox copy of medical certificate dated 8-2-1985.
- W. 28/16-2-85—Letter from Management Corporation to the workman in reply to Ex. W-27.
- W. 29/9-3-85—Letter from the workman to the Management Corporation enclosing xerox copy of medical certificate dated 8-3-1985.
- W. 30/15-3-85—Letter from the Management Corporation to the workman in reply to Ex. W-29.
- W. 31/5-5-85—Report of the Enquiry Officer.
- W. 32/15-3-85—Show Cause Notice issued to the workman.
- W. 33/18-3-85—Reply by the workman to Ex. W-32 (copy).
- W. 34/25-3-85—Order of removal.
- W. 35/4-4-85—Appeal preferred by the workman before the Zonal Manager, L.I.C., Madras 2.
- W. 36/27-5-85—Order of Zonal Manager, L.I.C. Madras rejecting the appeal.
- W. 37/14-6-85—Memorial appeal from the workman to the Chairman, L.I.C., Bombay.
- W. 38/29-10-85—Reply by the Management Corporation to Ex. W-37.
- W. 39/27-9-85—Order of the Chairman, L.I.C. Bombay rejecting the memorial appeal.
- W. 40/23-11-85—Petition filed by the workman before the Asst. Labour Commissioner (Central), Madras-6.
- W. 41/31-3-86—Reply filed by the Management Corporation before the Asst. Labour Commissioner (Central) Madras-6.
- W. 42/12-5-86—Letter from the workman to the Asst. Labour Commissioner (Central) Madras-6 (copy).
- W. 43/29-5-86—Conciliation Failure Report.
- W. 44/15-4-87—Order No. L-17012/19/85 DIV(A), Ministry of Labour, Government of India (Copy).
- W. 45/12-6-84—Enquiry notice issued to the workman (Xerox copy).

For Management :

Ex. M. 1/13-12-83—Charge sheet issued to the workman (Xerox copy).

- Ex. M. 1/14-12-83—Charge sheet issued to the workman (Xerox copy).
- M. 3/19-12-83—Charge sheet issued to the workman (Xerox copy).
- M. 4/17-4-84—Punishment order issued to the workman (Xerox copy).
- M. 5/16-12-83—Charge sheet issued to the workman (Xerox copy).
- M. 6/19-11-84—Punishment order issued to the workman (Xerox copy).
- M. 7/16-8-84—Charge sheet issued to the workman (Xerox copy).
- M. 8/25-11-78—Charge sheet issued to the workman (Xerox copy).
- M. 9/17-12-83—Leave application submitted by the workman (Xerox copy).
- M. 10/20-12-83—Letter from Management—Corporation to the workman regarding transfer (Xerox copy).
- M. 11/4-1-84—Letter from the workman to the Management Corporation (Xerox copy).
- M. 12/6-1-84—Letter from the workman to the Management Corporation (Xerox copy).
- M. 13/24-12-83—Letter from Management Corporation to the workman (Xerox copy).
- M. 14/1-1-84—Letter from Management Corporation to the workman (X. copy).
- M. 15/20-12-83—Letter from the workman to the Management Corporation (Xerox copy).
- M. 16/27-12-83—Appeal preferred by the workman (Xerox copy).
- M. 17/17-12-83—Medical Certificate (Xerox copy).
- M. 18/30-3-84—Letter from the Management Corporation to the workman regarding transfer (Xerox copy).
- M. 19/9-4-84—Letter from the Management—Corporation to the workman (Xerox copy).
- M. 20/13-9-84—Letter from Management—Corporation appointing Enquiry Officer (Xerox copy).
- M. 21-22/5-3-85—Report of the Enquiry Officer (Xerox copy).
- M. 23/15-3-85—Show Cause Notice issued to the workman (Xerox copy).
- M. 24/18-3-85—Reply by the workman to Ex. M-23 (Xerox copy).
- M. 25/ —L.I.C. Staff Regulations, 1960 (Book).
- M. 26/Series—Enquiry file relating to the workman Thiru R. Dandapani (Xerox copy).

नई दिल्ली, 9 जून, 1993

का.आ. 1434 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, बैंक ऑफ महाराष्ट्र के प्रबन्धन के संबद्ध निरीक्षकों और उनके कर्मचारियों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-93 को प्राप्त हुआ था।

[संख्या एन-12012/277/90/आई आर (वि-2)]

हरीश गौर, इसके अधिकारी

New Delhi, the 9th June, 1993

S.O. 1434.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bank of Maharashtra and their workmen, which was received by the Central Government on 8-6-93.

[No. L-12012/277/90-IR(B-II)]

HARISH GAUR, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT BOMBAY

#### PRESENT :

Justice Shri R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-1/4 of 1991

#### PARTIES :

The employers in relation to the management of Bank of Maharashtra.

#### AND

Their Workmen.

#### APPEARANCES :

For the Employer—Shri R. M. Camudra Representative.

For the Workmen—Shri Vinayak Karmakar, Representative.

INDUSTRY : Banking

STATE : Maharashtra.

Bombay, dated the 28th day of May, 1993

#### AWARD

The following point has been referred to this Tribunal by the Government of India, Ministry of Labour, by its letter dated NII, received in this office on 21-01-1991.

"Whether the action of the Management of Bank of Maharashtra in relation to its Pimpri Branch in not allowing the allowance post of Daftari to Shri A. S. Patole with effect from 10-11-1989 on temporary basis is justified? If not, to what relief the workman is entitled?"

The workman filed through the General Secretary of Bank of Maharashtra Karmachari Sangh his statement of claim.

It has been stated therein that Shri Patole was not allotted the post of Daftari with effect from 01-11-1989 to which he was entitled. This entitlement was on the basis of Sastri/Desai Awards and various Bipartite Settlements. They provide for Special Allowance payable to the staff employees of the Banks and in accordance with the same for allotment of such special allowance carrying posts. It was contended that though he was entitled to a post carrying allowance after completion of one year from the date of his taking over in Pimpri Branch, he was not given that post with allowance.

Before the Bank filed its written statement, the Bank has filed a statement under the signature of Assistant General Manager (officiating) IR and HRD stating therein that the demand made by the Union in the statement of claim has already been met by the Bank and therefore, no dispute now exists and none survives. It stated that the workman Shri Patole has been paid appropriate retrospective allowance on pro-rata basis with effect from 01-11-1989 and is being allotted the allowance carrying post of Daftari as and when it fell vacant. On behalf of the Union, Shri Vinayak Karmakar, General Secretary, has endorsed therein

"As the demand of the Union has been admitted by the Bank Management, the matter may be treated as settled."

Under these circumstances it is not necessary to answer the reference, as settled outside the court. Award accordingly, no order as to costs.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 10 जून, 1993

का.आ. 1435—औद्योगिक विवाद अधिनियम, 1947.  
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, कैनरा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-93 को प्राप्त हुआ था।

[संख्या एल-12012/20/85-डी-iv-(ए)]

हरीश गौड़, डेस्क अधिकारी

New Delhi, the 10th June, 1993

S.O. 1435.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 10-6-93.

[No. L-12012/20/85-DIV(A)]  
HARISH GAUR, Desk Officer

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING  
OFFICER, CENTRAL GOVT. INDUSTRIAL  
TRIBUNAL, NEW DELHI

I.D. No. 53/86

In the matter of dispute between :

Smt. Rani Gaur, 18/3, Mobenpura, Ramiram Road,  
Ghaziabad.

Versus

The Manager,  
Canara Bank Central Office,  
Marshall Hall,  
Parliament Street,  
New Delhi.

#### APPEARANCES :

Workman in person.

Shri A. Rajan on behalf of Sh. Jagat Aurora—for the  
management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/20/85-DIV(A) dated 19th May, 1986 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Laxmi Commercial Bank Limited, (now Canara Bank) in relation to their branch at Ghaziabad in terminating the services of Smt. Rani Gaur, clerk w.e.f. 19-10-82 is justified ? If not, to what relief is the worker concerned entitled ?"

2. Briefly stated the case of the workman as put forward in her statement of claim was that she was initially appointed as part time pass book writer at Ghaziabad branch of the Laxmi Commercial Bank Ltd. w.e.f. 27-10-80 vide letter dated 16-10-80 issued by the Assistant General Manager (Personnel). She continued to work in this post till 27-7-81 when her services were discontinued without any order of termination. She was again taken up on the same post from 6-10-81 and worked till 3-11-81 when her services were again discontinued without any letter of termination. She had completed 240 days of service during the 12 calendar months preceding these dates and her termination was violation of section 25-F of the I.D. Act. On 3-2-82 she submitted an application for being allowed to join as a full time clerk and was taken up as such on 4-2-82. The branch manager advised her that the letter of appointment would be coming from the Head Office later on. She continued working as full time clerk but her salary was not released from month to month and for that purpose she put representations dated 24-2-82, 23-3-82, 29-4-82, 29-5-82 and 29-6-82 to the Branch Manager claiming her salary for these months. The branch Manager sent a letter to the Head Office that the workman had been appointed after permission of the Chairman but her salary could not be released in the absence of her appointment letter and the same may be got expedited. The payment was not released and on 18-10-82. The branch Manager relieved the workman from duty on the purported oral instructions of the Area Manager without any letter of termination. Aggrieved by such illegal and unjustified action of the management she issued two legal notices and then went to the Assistant Labour Commissioner where the dispute could not be settled and the reference was made by the Government to this Tribunal.

3. The Management in its written statement alleged that the reference was highly belated, the workman was not in the employment of the Canara Bank on 27-4-84, the date of taken over of the erstwhile Laxmi Commercial Bank Ltd. and no dispute would be raised by her against the present management. It was further alleged that no employment had been offered to the workman on regular basis. The appointment of the workman on part time basis as pass book writer was made for the benefit of the students. She was not a bona fide student at the time of initial appointment, and the both whole thing was managed in connivance with certain bank officers and the appointment itself was for a fixed term and was terminable on the expiry of such term and no prior notice was required. She had not worked for a period of 240 days preceding 27-7-81 or 3-11-81. As such section 25-F was not applicable. It was unbelievable that the workman was employed verbally by the Ghaziabad branch Manager of erstwhile Laxmi Commercial Bank Limited and the Branch Manager Ghaziabad himself was not taken to the employment of the Canara Bank and had been suspended by the erstwhile Laxmi Commercial Bank. The erstwhile Laxmi Commercial Bank Manager Shri V. K. Sharma, had himself not been taken into the employment of the present Management after it took over the Laxmi Commercial Bank under the Scheme of Amalgamation. She was not entitled to any salary from 4-2-82 as she had not been in the employment of the bank and even if she had come to the branch during this period it was with an ulterior motive and in connivance with the certain official of the erstwhile Laxmi Commercial Bank Ltd. There was no letter dated 18-2-84 and on the record of the bank and the workman was not entitled to any relief.

4. The Management in support of its evidence examined Shri Rattan Lal Sharma MW1 and Raj Kumar Oberoi MW 2 while the workman examined Shri Vijay Kumar Sharma, WW1 and Smt. Rani Gaur workman as WW2.

5. I have heard representative for the parties and have gone through the record.

6. The representative for the management has urged that there had been no appointment of the workman even in the Laxmi Commercial Bank Ltd. while was amalgamated with the Canara Bank in 1985. She never worked as a whole time clerk and the statement of Shri V. K. Sharma who was earlier working in the Laxmi Commercial Bank as a Branch Manager from 1983 proves that she worked as full

time clerk unauthorisedly and without a permission of the Competent Authority. No official letter was ever issued to her regarding the appointment and this fact he has admitted himself in his cross-examination. He has further admitted that the part time pass book writers were appointed from amongst the students according to bank circulars. The Id. representative has referred to the cross-examination of Shri Vijay Kumar Sharma WW1 wherein letter Ex. W21 and W-13 do not bear any despatch number and were thus fabricated documents. Then official was not taken into employment by the Canara Bank when the Laxmi Commercial Bank was amalgamated with Canara Bank as there were some charges pending against him. So according to the representative for the management the statement of this witness was not worthy of reliance and there was no ground to hold that she was duly appointed as a clerk and her services were terminated.

7. He has further urged that there is a procedure for recruitment of whole time clerks and Banking Recruitment Board has been constituted by the Government for this purpose. No person could be taken into direct employment as a clerk except through the Board and, therefore, any work done by the workman even on the oral assurance of any official does not entitle the workman to get regular employment in the present management. Moreover the workman herself has admitted that she was appointed as a part time pass book writer and that scheme was meant for students on part time basis. That working of the applicant in that capacity does in no way entitle her to become a regular employee of the bank. The workman has no case and, therefore, no injustice has been caused to her by the management.

8. The workman representative in support of her case has urged that she was appointed by the erstwhile Laxmi Commercial Bank Management on oral assurance and that assurance was conveyed to her by the then Branch Manager and on his assurance she had been working there. This has been corroborated by the then branch manager Shri Vijay Kumar WW1 who has come into the witness box and has stated on oath. Many documents starting from Ex. W1 to W-26 have been placed on record and establish the case of the workman and prove that she was appointed as a clerk and she worked as such and there was no justification for the Management to terminate her services. Representative has further urged that the objections of the management had no legs to stand upon. The validity of the reference could not be impugned on the ground before this tribunal once the Government has in its wisdom made the order of reference and the delay in moving the matter also in no way thus affects the merits of this case as no limitation period is provided. The Canara Bank was bound by the liabilities of its erstwhile Laxmi Commercial Bank Limited because as per the scheme of amalgamation from the prescribed date of the liabilities, duties and obligations of the transferring bank shall become the liabilities and duties of the transferee bank to the extent and in the manner provided hereinafter. All the employees of the transferee bank were also to be transferred to the Laxmi Commercial Bank. The Canara Bank, therefore, becomes the employer of the workman in place of Laxmi Commercial Bank and as such was liable for the acts done by the erstwhile Laxmi Commercial Bank.

9. It was not disputed that the workman had worked as part time pass book writer and an appointment letter dated 16-10-80 was issued to her and it was for the management to satisfy themselves about the qualification and her eligibility for appointment. It was not now open to the management to dispute that fact. The fact thus remain that she was appointed as a part time pass book writer. She had undisputedly worked for more than 240 days during the 12 calendar months preceding her termination from 27-10-80 to 27-7-81 itself and further upto 3-11-83. The other point urged by the representative for the workman was regarding her appointment as full time clerk from 4-2-82 to 18-10-82. He has urged that she had worked during this period as full time clerk and it could not be believed that she could have been employed verbally or had been coming to the branch in connivance with certain officials of the bank. She had been orally assured by Shri V. K. Sharma WW1 that the letter of appointment would be given to her as soon as same was received from the Head Office.

Whether any letter was given or not was a different question but once she had worked during this period from 4-2-82 to 18-10-82 as a full time clerk as stated by the workman and her witness, the fact that no letter was given would not in any manner change her status. Shri Rattan Lal Sharma MW1 has not worked at the Gaziabad Branch and, therefore, he could have no knowledge of the working of the branch there. In the attendance register her attendance was marked but Shri Rattan Lal Sharma states that he had not checked the attendance register which could establish as to whether the workman had actually worked during that period or not. The applications given by the workman month by month also show that she had been working there during that period otherwise her letter could not have been received by the branch for further action. This clearly establishes that the workman had been working at the said branch continuously and making her daily attendance in the staff attendance register and was entitled to pay and allowances of the post of the clerk. The workman during the course of her evidence had summoned the saving bank ledger current account ledger, dak despatch daily office order book of the branch for the period 4-2-82 to 18-10-82 where she had allegedly worked as full fledged clerk. The bank neither filed the record nor given any reasons for not producing the said record. There was thus no evidence with the management to incorporate the assertion of the workman as against the evidence produced by the workman. She had proved from sufficient evidence that she had been working as full time clerk during the said period and had also been marking her daily attendance regularly. She was entitled to her pay and allowance for the said period and as such by afflux of law she would be deemed to be employed in the bank till 18-10-82 before oral termination for all necessary purposes. The evidence of Shri V. K. Sharma could not be brushed aside because he was officer incharge of the branch and has made statement on oath in support of the workman. The attempt of the management to make ex post facto case that the appointment of the workman was unauthorised and he had got it inconnivance with certain officials of the bank but no evidence in support of justification of the termination of the services of the workman has been produced and there is absolutely nothing on record to justify the act of the management which was wholly illegal unauthorised.

10. On careful perusal of the points referred above I am of the considered opinion that the workman Smt. Rani Gaur was not entitled to any relief. A perusal of the entire record/case shows that the original appointment of the applicant was made in a particular scheme as part time pass book writer. That scheme was meant for students to help them pursue their studies. Any appointment in that scheme did not entitle any member of that scheme to become whole time employee of the organisation nor did it authorise any officer of the bank to have that temporary status into a permanent assignment. She admittedly was a part time pass book writer and could not become whole time clerk in the bank with the help of an official of the bank because for recruitment to the regular cadre a procedure is laid down. If that procedure was not applicable to the erstwhile Laxmi Commercial Bank then she was required to have a letter of appointment dealing the terms of appointment etc. The mere fact that she was allowed to work on full time basis by the then Manager does not entitle her to bypass the procedure of appointment and what she had been doing during that course of employment appears to be only to get the employment or regular basis. She was not paid any wages for that period but she still continued to work. The wages could not be paid because there was no authorised appointment in her favour. Her alleged continuance on that post does not give her any right to claim regularity to the job. In Nand Kishore Raut and others, etc. Vs. State of Bihar and Others, etc. in civil Writ Petition No. 5650, 5250 and 5705/1988 dated November 20, 1990 it was held as follows :-

"HELD : If the persons illegally, irregularly and without following prescribed procedures, and in defiance of the ban imposed on such recruitment, are appointed by persons, who are not authorised to make such appointments, had to be included in the category of retrenched constables, then that will mean that legitimacy is provided to such appointments, it will encourage people to make irregular appointments defying the procedure and ban. It will also encourage a job seeker to somehow to grab a post without caring as to whether the person making appointment



has power to appoint or not and as to whether the procedure for making appointment has been followed or not. This will create havoc in society. Therefore, while having full sympathy for the petitioners, it has to be held that 'retrenched constables' would mean constables who were not appointed illegally by persons having no jurisdiction to appoint."

11. According to the guidelines of the above referred case the appointment of the workman was worse than those of the constables referred in the said judgment. Here she was not appointed but was only working in the branch at the asking of the Manager who has now come into the witness box after having been suspended by the management in her support. This short cut method of appointments making ground for regular job cannot be considered as a substitute for appointment made according to the laid down procedure. There was no valid appointment of the workman in this case and she was never regularly appointed and thus could not claim row that her termination has been made which was illegal and unjustified. Both the Managers Shri Narinder Kapoor and Vijay Kumar Sharma were not authorised to appoint anyone. Ex. W-1 the appointment letter initially issued to her was for a fixed period of 9 months as part time pass book writer. WW2 workman herself stated that she had worked only as a part time employee and had made request for absorption in regular service. The application is dated 3-2-82 and it could not be believed that on 4-2-82 she was given the employment on the basis of that application just next day thereafter. She made an application before the Labour Court, Gaziabad under section 33-C(2) of the I.D. Act claiming wages from 4-2-82 to 17-10-82 which was dismissed by the Labour Court on 5-3-87 and this fact was not disputed. That order of dismissal of the application thus became final and no efforts were made to go in appeal for getting that application restored. As discussed earlier also the circulars Ex. M2 to M5 clearly show that they were meant only for having temporary appointments of part time pass book writers for the benefit of the students. Circular was also issued to the effect that no person could be allowed to work in the bank unless he/she is issued regular appointment letter by the personal department at the Head Office and no salary could be disbursed to such an employee. Shri R. K. Obroi, the management witness in his affidavit has referred to this circular regarding which he had not been at all cross-examined. The reference made by the workman to Ex. W-25 according to which some workmen were regularised in the service of the bank also does not help the workman because this document dated 15-3-80 clearly states that those persons who were working in the bank under orders from the appropriate Authority were to be absorbed and the workman herself was not appointed by the appropriate Authority and could not claim any benefit of the same. The reference was also highly belated one and the workman services were terminated on October, 1982 while she raised the dispute only in 1986. Moreover, according to the scheme provided by government and in pursuance of section 45 of the Bank Regulation Act, 1949 this erstwhile Laxmi Commercial Bank was taken over by Canara Bank. The scheme framed on 3-8-85 provided that those employees who were on the rolls of the bank as on date were taken over and the liabilities as per existing liabilities on that date were to be taken over by the Canara Bank in 1985. Neither Rani Gaur workman was in the service of the Canara Bank nor any dispute/reference was pending about her in any Court/Tribunal so there was no liability of the Canara Bank regarding the services of the workman. Keeping in view the points referred above I am of the opinion that there was no illegality in the termination of the services of the workman and she was not entitled to any relief in this case. Parties are, however, left to bear their own costs. May 31, 1993.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 11 जून, 1993

का.प्र. 1436—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सिन्डिकेट बैंक के प्रबन्धसूत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-93 को प्राप्त हुआ था।

[संख्या एल-12012/386/89-डी-2(ए)]

हरीश गौड़, डेस्क अधिकारी

New Delhi, the 11th June, 1993

S.O. 1436.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workmen, which was received by the Central Government on 10-6-93.

[No. L-12012/386/89-DIIA]

HARISH GAUR, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this 1st May, 1993

PRESENT :

Sri M. B. Vishwanath, B.SC., B.L., Presiding Officer.

Central Reference No. 6/90

I party	v/s.	II party
The General Secretary, The Dy. General Manager, Syndicate Bank Staff Syndicate Bank, Zonal Office, Association, Anooradha I.R. Cell, Gandhinagar, Building, S. C. Road, Bangalore-560009.		

#### AWARD

In this reference made by the Hon'ble Central Government by its order No. L. 12012/386/89-D II(A) Dt. 5-2-90 under Sec. 10(1)(d) of I.D. Act the point for adjudication as per schedule to reference is :

"Whether the management of Syndicate Bank is justified in dismissing Sh. H. N. Sheni, Clerk, Staff Training College, Syndicate Bank, Bangalore w.e.f. 24-9-88? If not, to what relief the said workman is entitled?"

2. In the claim statement it is contended :—

The I party workman H. N. Sheni who was working as a clerk in the Staff Training College at Bangalore of the II party, was terminated from the services by an order dt. 24-9-88 passed by the Deputy General Manager, Zonal Office, Bangalore of the II party for the alleged frauds said to have been committed by him during the period between 23-6-81 and 7-12-82 while working as clerk at Cottonpet, Bangalore branch and during the period between 8-12-82 to 12-8-83 while he was working as clerk at Rajajinagar Main, Bangalore Branch of the II party. The I party workman was working as clerk at Cottonpet branch, Bangalore from 23-6-81 to 7-12-82. Then he was working at Rajajinagar Branch, Bangalore from 8-12-82 to 12-8-83. The charges levelled against the I party workman as per charge sheet are:—

(i) withdrawal of Rs. 24,500 from S.B. A/c. 3318 of Sri Laxminarayana at Cottonpet, Bangalore branch in June 1982.

(ii) withdrawal of Rs. 12,500 from S.B. A/c. 4647 of Sri Kannan at Cottonpet, Bangalore branch on 21-7-82.



- (iii) withdrawal of Rs. 55,000 from S.B. A/c. 32406 of Sri T. R. Krishnappa at Rajajinagar Main Branch on 16-3-83.

The domestic enquiry was held against the I party workman. The Enquiry Officer who held the D.E. gave his report holding that the charges against the I party workman were not proved.

3. However disciplinary authority disagreed with the findings of the E.O. and gave his own findings. In his findings dt. 29-5-88 disciplinary authority concluded that charge were proved in the enquiry and proposed the punishment of dismissal. After giving to a hearing to the workman, he was dismissed from the services of the Bank by the order dt. 24-9-88. He preferred appeal to the General Manager (Personnel), Head Office, Manipal and he was given a personal hearing by the appellate authority on 14-11-88 as per the provisions of Bipartite Settlement. The Appellate Authority rejected the appeal. The I party has not committed any misconduct. The order of dismissal is illegal. The order of dismissal should be set aside and reinstatement should be ordered.

4. In the counter statement (W.S.) it is stated :—

The I party misappropriated in all a sum of Rs. 98,000 of the II party during 1982-83. The D.E. was held against the I party workman. The E.O. gave a finding that the charges were not proved. The Disciplinary Authority perused the findings. After a careful consideration of both oral and documentary evidence found that the E.O. had failed to consider some of the material points and documents tendered before him by the II party in the enquiry. The competent authority (D.A.) based on the enquiry records came to the conclusion that the charges against the I party workman were established. The I party workman was issued a show cause notice as to why he should not be dismissed from service and gave him a personal hearing. The I party submitted a written brief. Considering everything the D.A. confirmed the proposed punishment of dismissal and the I party workman was dismissed from service w.e.f. 24-9-88. The punishment of dismissal is proportional to the misconduct committed by the I party workman. It is not true that the I party had not committed misconduct. The D.A. has considered the entire evidence and passed a detailed order with appropriate findings. The allegation that the findings of the D.A. are perverse is unsustainable.

5. As has been stated in the pleadings the E.O. who held the D.E. gave the report that the charges were not proved. In view of this, rightly, the Learned counsel for the I party has submitted that the D.E. is valid and proper and he does not challenge the D.E. Evidence has not been adduced by the parties. So the case was posted to hear regarding the perversity of the findings given by the D.A. who disagreed with the findings of the E.O. and on adequacy of punishment. The Court has therefore to see whether the findings of the D.A. are perverse. If so, whether the punishment of dismissal is disproportionate.

6. Ex. M.1 is the proceedings book. This was marked by consent. The report of the E.O. who held the D.E. is at page No. 253. It runs from page No. 253 to 272 in Ex. M.1. The E.O. has given a finding that the three cheques aggregating to Rs. 24,500 were fraudulently encashed from the S.B. account of Lakshminarayana at Cottonpet branch, Bangalore. He has given a finding that the cheque for Rs. 12,500 was fraudulently encashed from S.B. account of Kannan at Cottonpet branch. He has given a finding that a sum of Rs. 55,000 was withdrawn from fictitious S.B. account in the name of Krishnappa at Rajajinagar branch by affording a credit of Rs. 68,500 by a fictitious credit slip. On the involvement of the I party workman he has given a definite finding that the I party workman Sheni was not involved in the frauds stated herein by himself or with the active connivance with his cousin Shri Sridhara Naik. He has stated in his report that "I have no hesitation in holding that the Management could not substantiate the charges of doing acts prejudicial to the interest of the Bank.....levelled against Sri H. N. Sheni".

7. The D.A. disagreed with the findings of the E.O. and proposed punishment of dismissal of the I party workman.

This show cause notice proposing the punishment of dismissal of the I party workman is at page 283 in Ex. M.1. It has been stated in this show cause notice that a personal hearing would be given to I party if he wanted it. This show cause notice which was served on the I party workman is accompanied by the findings and the reasons (observations) of the D.A. The reasons and the findings thereon given by the D.A. are at pages 280 and 281 in Ex. M.1. When the show cause notice of the proposed punishment with the findings and reasons was served on the I party workman, the I party workman has given his explanation. The explanation is at page 284 to 286 in Ex. M.1.

8. The D.A. has passed the final order after giving a personal hearing to the I party. The final order of dismissal in terms of the proposed punishment in the show cause notice is found at pages 287 to 293 in Ex. M.1. It is dated 24-9-88.

9. In the reasons and findings given by the D.A. alongwith the show cause notice mentioning the proposed punishment, the two reasons given by the D.A. for differing from the E.O. are that there was clinching evidence that MEX 37 (marked before D.E.), account opening form of the account holder Kannan was seized from the house of the I party workman and this has not been noticed by the E.O. The D.A. has stated in the reasons that MEX 37 which was seized from the house of I party workman by the CBI ought to have been in safe custody under dual control of the Cottonpet Branch of the Bank. The second reason given by the D.A. is that Sridharan Naik, cousin of I party workman was found in the house of the I party workman at the time of CBI raid. The D.A. has stated in his reasons that the presence of Sridhara Naik, in the house of the I party workman at the time of CBI raid supports the fact that the I party workman connived with Sridhara Naik for fraudulent withdrawals of the money.

10. I have already stated that the I party workman submitted his explanation to the show cause notice issued alongwith the findings and reasons of the D.A. in pursuance of the proposed punishment. Regarding the first reason given by the D.A. adverted to in the above para the D.A. has accepted the reason given by the I party workman in his explanation and has come to the conclusion in the final order dt. 24-9-88 at page 292 in Ex. M.1 (internal page 6) that the subsequent clarification given by the I party has convinced him (D.A.) that MEX 37 was not seized from the house of I party workman. So one of the two reasons given by the D.A. in the findings and reasons alongwith the show cause notice goes phut since the explanation offered by the I party workman has been accepted by the D.A.

11. The second reason given by the D.A. in his findings alongwith the show cause notice is that Sridhara Naik, cousin of the I party was present at the time of CBI raid at the house of I party. I have carefully gone through the neat xerox copy of the final order passed by the D.A. dt. 24-9-88 inflicting the punishment of dismissal. The D.A. has not adverted to this aspect of the presence of Sridhara Naik in the house of I party workman at the time of the raid conducted by the CBI on the house of I party workman. From the records available there is absolutely no material to show that Sridhara Naik was present in the house of I party workman at the time of CBI raid. When this was pointed to me by the Learned counsel for the I party, the Learned counsel for the II party did not contradict it nor was he able to lay his hands on any material to show that Sridhara Naik was present in the house of I party workman at the time of CBI raid. So the second reason also given by the D.A. has to be thrown overboard. The two reasons given by the D.A. to differ from the E.O. fail. The order of dismissal has therefore to be set aside.

12. The D.A. in his final order has observed that he holds the I party workman guilty not on the only evidence of MEX 37 but there are other enough evidences against I party workman such as possession of assets disproportionate to known sources of income and huge investments seen after

the fraud, withdrawals. The D.A. could not have ordered dismissal of the I party workman on this score because there was no charge against the I party workman in this regard in the charge sheet.

13. There is absolutely no material on record to show the direct involvement of the I party workman with the fraudulent withdrawals of the amounts. The Learned counsel for the II party took me through some material on record and submitted that there were any omissions on the part of the E.O. and the D.A. If I start discussing the alleged irregularities or omissions committed by the E.O. or the D.A. it would amount to the Tribunal holding a brief for the II party Bank. This should not be done particularly while dealing with the weaker section. It is not proper for the Tribunal to hold the I party guilty on material which has not been noticed by the D.A.

14. The Learned counsel for the II party relied on AIR 1975 Supreme Court 1725 (M/s. Chembur Co-op. Industrial Estate Ltd., v/s. M. K. Chhatra and another). In this authority of the Supreme Court it has been laid down that the workman had forfeited confidence of employer and so reinstatement is not justified. It is clear from para 2 of the Judgment that the workman called himself an office Secretary though he had never been designated as such and that he had removed from the office record some documents. The workman had further substituted a letter and circulated that letter. On the strength of these facts the Hon'ble Supreme Court was pleased to hold that the workman had forfeited the confidence of the employer. This authority is clearly distinguishable and not applicable to the facts of the present reference.

15. For the aforesaid reasons, I am of opinion, the findings of the D.A. are perverse. Accordingly they are set aside. The order of dismissal of the I party workman passed by the D.A. has to be held illegal. As I have held the findings of the D.A. perverse, the question of adequacy of punishment does not arise.

16. Ex. W.1 is the letter issued to the I party workman by the Deputy General Manager. In Ex. W.1 the II party has stated that II party would revoke suspension of I party and give him posting. It is further stated in Ex. W.1 that after the conclusion of D.E. if the charges were not proved against I party workman he would be deemed to have been on duty during that period of suspension and would be entitled to full pay and allowances. If the charges were proved necessary action would be taken against the I party workman. On the strength of Ex. W.1 the Learned counsel for the I party submitted that I party workman was entitled to reinstatement. The I party workman has not pursued the matter. The Tribunal cannot direct the II party in an Industrial Dispute to keep the promise. The Learned counsel for the I party relied on (1983) 3 S.C.C. 38 (Surya Narayan Yadav and others v/s. Bihar State Electricity Board and others). I have carefully and respectfully read this decision of the Supreme Court. In this authority the statutory body gave assurance to the trainee engineers that the trainee engineers would be permanently absorbed and encadred without any examination and would be confirmed after two years probation. The trainee engineers acted to their prejudice by not seeking employment elsewhere. The Supreme Court was pleased to hold that the statutory body was bound by the representations or assurances made by them to the employees. In the instant reference there is absolutely nothing to show that the I party workman had acted to his prejudice. More importantly the present reference is not for enforcing the promise held out by the II party in Ex. W.1 to I party. The Tribunal cannot go beyond the reference.

17. In the charge sheet the I party workman has prayed for full back wages. But he has not adduced any evidence to show that he was not gainfully employed anywhere after he was dismissed from service by the II party. It is clear from the entries in the order sheet that the I party, presumably deliberately, has not shown interest in early disposal of this reference. The I party has written a letter dt. 11-4-83 (page 7 of Ex. M.1) to the Deputy General Manager in which he has stated "It is strange that those who are directly

involved with the frauds are protected and I have been made a scapegoat". This suggests that the conduct of the I party workman, even according to him, is not above board, though the dismissal has to be set aside on other grounds.

18. In Ex. M.1 there are three letters at pages 227, 228 and 230 written by the I party workman to the Chairman of the II party. These letters are written by the I party in 1976 and 1977 praying for appointment. In these letters he has stated that he is not able to "make both ends meet", "Since a year he has no food once in two days", etc. These letters show that the I party workman was extremely indigent at the time of appointment. But at the time of the present episode in 1988 he was in possession of huge assets and Rs. 20,000 cash was seized from his house. This shows that the I party was not without means to sustain himself after his dismissal and that he was not unemployed. It is possible though not probable because there is no evidence, that he had some other occupation. This is my conclusion though the wife of I party was working in a Central Government office. For the reasons stated in this para and the para above I am not inclined to grant back wages to the I party-workman. Some nominal compensation will meet the ends of justice.

#### ORDER

The order passed by the II party (D.A.) on 24-9-88 dismissing the I party workman from service is held illegal. II party is directed to reinstate the I party workman forthwith with continuity of service. No backwages. The II party is directed to pay a compensation of Rs. 15,000 (Rs. Fifteen thousand) to the I party workman. Award passed accordingly accepting the reference as stated herein.

Submit to Government.

M. B. VISHWANATH, Presiding Officer

नई दिल्ली, 16 जून, 1993

का.प्रा. 1437—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स सैन्ट्रल कोलफील्ड्स लिमि. की कथारा वाशरी के प्रबन्धतंत्र के संबद्ध निवोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-6-93 को प्राप्त हुआ था।

[सं. एन-20012/21/84-जी आई को (बी)/आई आर (सी-1)  
हरीश गौड़, ईस्क अधिकारी

New Delhi, the 16th June, 1993

S.O. 1437.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. II) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kathara Washery of M/s. CCL and their workmen which was received by the Central Government on 9-6-1993.

[No. 20012(2)/84-DIV(B)/IR(C.I)]

HARISH GAUR, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 27 of 1984 (Old)

Reference No. 22 of 1988 (New)

**PARTIES :**

Employers in relation to the management of Kathara Washery of M/s. Central Coalfields Ltd., P.O. Kathara Distt. Giridih and their workmen.

**APPEARANCES :**

On behalf of the workmen—Shri J. P. Singh, Advocate.  
On behalf of the employers—Shri R. S. Mur'hy, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 3rd June, 1993

**AWARD**

The Government of India, Ministry of Labour and Rehabilitation in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 had referred the following dispute to the then Central Government Industrial Tribunal No. 3, Dhanbad vide Ministry's Order No. L-20012(21)/84-D.IV(B) dated, 13th June, 1984 and the said reference was registered there as Ref. No. 27 of 1984. But subsequently vide Ministry's Order No. S-11025/7/D.IV(B) dated 31-12-1987 the said reference has been transferred to this Tribunal and registered here as Rf. 22 of 1988.

**SCHEDULE**

"Whether the demand of the union/workman that Shri G. N. Singh should be promoted to the post of Chargeman Grade-C from 5-4-71 and to the post of Foreman Grade-B from 14-10-74 from the date when his junior Shri M. N. Prasad was promoted to the above post is justified? If so, what relief the workman is entitled to?"

2. Shri G. N. Singh the concerned workman wanted his promotion to the post of Chargeman in Grade-C and to the post of Foreman in Grade-B at par with Shri M. N. Prasad who was stated to be junior to him possessing no qualification.

3. The concerned workman was appointed as trainee in Electrical grade on 1-6-66 by the management of NCDC and he was admitted to one year course of electrical apprenticeship in M.T.S. under the control and management of erstwhile NCDC. Before joining M.T.S. the concerned workman had passed his matriculation examination and also completed 2 years course in I.T.I. as Electrical Fitter.

4. The concerned workman completed his one year's course on 30-5-67 but he failed twice in the test and therefore he was refused to be absorbed on the regular post of Cat. V. However, after several representations he was given the post of Electrical Fitter in Cat. V on 18-10-68. It was stated that since the concerned workman had completed his course of M.T.S. he should have been placed in Cat. V utmost by 2-12-67 but he was denied that post. After completion of probationary period of 6 months he should have been provided with Cat. VI on 2-6-68 but the management in spite of his several representations kept him in Cat. V till 19-2-71 in violation of the Circular No. 368/TRG/FRON/C/61 dated 24-5-62.

5. In the meantime the concerned workman obtained electrical supervisor certificate of the Government of Bihar on 3-4-68 in Part I and II (non-mining) and with this additional qualification he was entitled to be promoted to the post of chargeman electrical but with the mala fide intention was allowed to continue in the lowest category till 19-2-71. However, in the month of December, 1980 he was promoted to the post of Chargeman Elect.

6. A D.P.C. was held for the post of Chargeman electrical on 5-4-71 by the management but the case of the concerned workman was not considered whereas Shri M. N. Prasad was promoted to the post of chargeman who did not possess any requisite qualification as laid down for promotion to the post of Chargeman. He was neither Matriculate nor passed out trainee of MTS nor he had obtained any supervisory certificate of competency. He was again promoted to the

post of Foreman Technical in Grade-A on and from 14-10-74 in violation of training rules.

7. The concerned workman has also named several others persons who were promoted to the post of chargeman but the case of the concerned workman was not considered. He named Mr. Kaimal who was only ITI and matric but he did not possess any supervisory certificate of competency.

8. Again a D.P.C. was held on 1973 for the post of Chargeman but the case of the concerned workman was not considered nor he was called for interview.

9. In the year 1974 again a D.P.C. was held and the concerned workman was called for interview but he was not given any promotion. On the other hand Shri N. K. Tewary and Shri O. P. Narayan were promoted. It is stated that Shri Tewary did not possess any supervisor certificate of competency and yet he was promoted. Even in the year 1975 another DPC was held but the concerned workman was not called for interview nor his case was considered. One Shri M. R. Guru was appointed as Casual Mazdoor in the year 1969 and strangely he was promoted directly to the post of Cat. VI on 19-6-72. He got promotion for the post of Chargeman on 10-6-74 and again promoted as Foreman trainee on 14-7-75.

10. The case of Shri S. N. Murtaza and Shri Rameshwar Singh were also canvassed in the W.S. stating that they got quick promotion whereas the concerned workman was ignored. It has been prayed that he should be promoted to the post of Chargeman from the year 1969 and thereafter as Foreman and lastly to the post of Foreman Incharge from the date of promotion of Shri S. M. Murtaza as Foreman Incharge.

11. The management has denied every claim of the concerned workman. Firstly it was stated that the reference was over-stale and it is liable to be struck down, on that very score. Admittedly, Shri G. N. Singh the concerned workman was entertained as trainee in Electrical trade along with several others. The trainees who had not successfully completed the training and had not qualified in the test were not to be considered for employment even if there was any vacancy. Only the qualified successful trainees were provided employment in daily rated Cat. V as Electrical Fitter and those who had not qualified in the final test were offered employment in daily rated Cat. II as helper. Shri G. N. Singh, the concerned workman had failed in the final examination after the training period was over and therefore his training period was extended for 6 months. Again he was subjected to the test but he failed. He was offered daily rated post in Cat. IV which he declined to accept. He could not obtain low tension, medium tension and high tension certificate till now.

12. After sometime the concerned workman had passed Part I and Part II of the Electrical Supervisor examination. However, on request made by him his case was considered because he had passed the aforesaid Part I and II examination of Electrical Supervisorship and so he was offered the post of Electrical Fitter in Cat. V vide office order dated 23-10-68. This arrangement was made as a result of special decision taken by the Area General Manager. This arrangement was accepted by the concerned workman and thereafter he was employed in Cat. V in October, 1968.

13. Again in the year 1971 the case of the concerned workman was considered and he was placed in Electrical Fitter in Cat. VI with effect from 19-2-71. The case of the concerned workman was again considered in the year 1980 along with others and he was promoted to the post of Chargeman Technical Supervisor Grade-C with effect from 23-12-80. As regards Shri M. N. Prasad it was stated that he was appointed in the year 1959 in Cat. VI in Kargali Washery and in the same capacity he was transferred to Kathara Washery in February, 1966. Shri M. N. Prasad was holding the post of Electrician Cat. VI since 1969 which post was held by Shri G. N. Singh, the concerned workman only on 19-2-71. In this way Shri G. N. Singh was rendered junior to Shri M. N. Prasad by nearly 12 years in Cat. VI Electrician. Shri M. N. Prasad was promoted to the post of Chargeman subsequently with effect from 19-2-71. He

had also obtained Electrical Supervisor Certificate of competency in February, 1972. The case of Shri M. N. Prasad was again considered along with others for further promotion in the year 1979, and he was promoted to the post of Foreman in Technical and Supervisory Grade-B with effect from 15-10-79. On the other hand Shri G. N. Singh was not entitled to be considered for such promotion and on this ground it was prayed that the demand of the union is not justified and the concerned workman was not entitled to any benefit.

14. The main point for consideration in this reference would be as to whether the concerned workman could have been given promotion along with Shri M. N. Prasad?

15. Shri G. N. Singh, the concerned workman is claiming his promotion to the post of Chargeman and Foreman from the date as mentioned in the schedule of reference and at par with Shri Meghnath Prasad. In the W.S. the reference has been made to other employees also who were promoted to the post of chargeman even without holding electrical supervisory certificate. Reference has also been made to Shri S. K. Mishra, V. P. Roy and M. R. Guru who according to the concerned workman got promotion although they were not better qualified than him. The instance of Shri S. N. Murtaza and R. Singh were also quoted. I think the matter for consideration has to be confined to the schedule of reference. In this regard reliance can be made upon the authority reported in SCLJ Vol. 4 at page 2307 wherein their Lordships held that the Tribunal is not free to enlarge the dispute referred to it but must confine its attention to the points specifically mentioned and anything which is incidental thereto. The case of other employees cannot be called incidental to the matter of the reference. In other words I will examine the case of Shri M. N. Prasad and compare it with the case of the concerned workman. Apart from that Shri S. N. Murtaza, Shri R. Singh and Shri M. R. Guru are admittedly diploma holders and their case cannot be equated with the case of the concerned workman who is matriculate with I.T.I.

16. Shri S. N. Murtaza has been examined as MW-1. He had proved his diploma certificate and NCDC certificate for chargeman Electrical/mechanical which have been marked Ext. M-1 and M-2 respectively. This may be read as Ext. M-3 and M-4 respectively and all other subsequently exhibits may be read accordingly. He was admitted to Mining Training School Jarangidh which he completed in the year 1965. Thereafter he was appointed as Chargeman Grade-II which was changed as Foreman in the year 1967. He had obtained electrical supervisor certificate in 1969. Shri R. Singh is also a diploma holder (MW-2). He has stated that M.T.S. for diploma holders was imparted for the post of Chargeman Grade-II. His original diploma was misplaced. He has proved his marksheets and MTS training certificate which have been marked Ext. M-3 and M-4 respectively. They be read as Ext. M-5 and M-6 respectively. In the year 1975 he became Asstt. Engineer. According to Shri Murtaza only a diploma holder can become Asstt. Engineer. He made it clear that an ITI certificate holder is not eligible for the post of Engineer.

17. Shri M. R. Guru a diploma holder passed medium tension wireman's permit under Electricity Rules in 1971. He passed Electrical Supervisorship certificate examination including mining part in the year 1973. After obtaining high tension wireman H.T. permit he was placed in Cat. VI in the year 1971 and after obtaining supervisory certificate he was promoted to the post of Chargeman in the year 1974. The evidence of the witness will further disclose that in the year 1975 CCL recruited Foreman Trainee from open market and Shri Guru was one of the candidate and he was selected and appointed as Foreman trainee in Kathara washery. Photo copy of the appointment letter is Ext. M-6. This be read as Ext. M-7. His diploma certificate has been marked Ext. M-5. Thus he was appointed as direct Foreman trainee. MW-4 has proved electrical supervisory certificate of Shri Guru duly granted by Tamil Nadu Government and Bihar Government which are Ext. M-8 and M-8/1 respectively. Shri Guru was initially appointed in Cat. II Helper in Kathara Colliery. He was transferred to Kathara washery in August, 1976 (Ext. M-11/2). So he was not in

Kathara washery when he was promoted as Chargeman in the year 1974.

18. Now coming to the case of Shri M. N. Prasad it is stated that he was neither a Matriculate nor he was a passed out trainee of M.T.S. nor he had obtained any supervisorship certificate of competency. A D.P.C. was held on 5-4-71 for promotion to the post of Chargeman Electrical by the management but the case of the concerned workman, who possess all the requisite qualification, was ignored and Shri M. N. Prasad was promoted to that post.

19. Admittedly no certificate of educational qualification of Shri M. N. Prasad has been filed. It be noted that he had already retired. However his service sheet has been filed and proved as Ext. M-7 which may be read as Ext. M-8. The service sheet shows that he was appointed on 18-1-59 as Electrician Grade-I (Cat. IX) equal to Cat. VI in Kargali washery. By that time the concerned workman was not join in the service. He was appointed as trainee electrical grade on 1-6-66. Shri M. N. Prasad was released from Kargali washery on 23-2-66 A.N. to join Kathara washery where he joined on 28-2-66. This means he had joined Kathara washery even before joining of the concerned workman and in the situation it can never be presumed that Shri M. N. Prasad was sent to Kathara washery to function over the head of so many employees including the concerned workman. It is said that he was not even a matriculate and was not holding any requisite qualification. I think, the concerned workman cannot be permitted to challenge the situation and circumstances which prevailed before his appointment. He was appointed in the year 1966 and he was found challenging the situation prevailing in the year 1959. Normally it is presumed that Shri M. N. Prasad must have requisite qualification to hold the post of Electrician Grade-I Cat. VI. Just possibly he might be holding that post on account of his wide experience as Electrician. He was promoted to the post of Chargeman Electrical Grade-C with effect from 19-2-71 vide order dt. 5-4-71. He had passed electrical supervisory certificate vide certificate No. 1690/71. This means he was promoted retrospectively. In the order of reference a wrong date has been mentioned that he was promoted as chargeman on 5-4-71. Actually it was the date of order but promotion was given from the back date i.e. from 19-2-71. This also shows that he was promoted to the post of chargeman after serving 12 years as Electrician in Cat. VI. Admittedly, the concerned workman was promoted to Cat. VI on 19-2-71 and he had grievance that he was not promoted as Chargeman when D.P.C. was held on 5-4-71. This means he wanted his next promotion only after 1/1-2 month of the last promotion.

20. The concerned workman wanted his promotion to the post of Chargeman because he was possessing the necessary qualification. The necessary qualification has been spelt out in Implementation Instruction No. 60 dt. 8-7-86 vide Annexure XV-XII. For the post of chargeman one must hold electrical supervisorship certificate. The concerned workman claims to have obtained that certificate and par from that he was matric and had completed 2 years ITI course. As regards supervisory certificate now let us examine the evidence of the concerned workman. He stated (WW-1) that he obtained Electrical Supervisorship certificate from the Government of Bihar after passing the necessary examination and test. He further stated that there are 3 parts in supervisory training course and out of which he had completed 2 parts namely general and non-mining course. Admittedly, he did not pass mining course. According to him it was not required in Kathara washery. He stated that after passing that test on 3-4-68 he should have been placed in Cat. VI but the management placed him in Cat. VI in the year 1971. The qualification of the Electrician Cat. VI has been stated as follows under the aforesaid Implementation Instruction No. 60 dated 8-7-86.

"Literate or Matriculate with FFI, have both I.T. permit for cable joining and overhead line issued by the competent authority."

Admittedly, the concerned workman did not possess low tension, medium tension and high tension certificate as required under the Indian Electricity Rule. The witness admitted in cross-

examination that the Electricity Rules provides that an Electrician is required to possess certificate of low tension, high tension and medium tension certificate. I think the witness cannot be permitted to blow hot and cold together. He was not holding even low tension permit and still wanted promotion after obtaining electrical supervisory certificate. As regards supervisory certificate, he according to his own evidence had completed 2 parts only. He had not passed Mining part he has denied the suggestion that the Electrical Supervisors cannot work without mining part in the mining industry. He has denied his knowledge that the management was insisting upon for supervisory certificate including mining part. Be that as it may we find that Electrical supervisory certificate obtained by the concerned workman was in complete in itself. On the other hand the service sheet of Shri M. N. Prasad does not show that supervisory certificate obtained by him was in any way incomplete.

21. Shri M. N. Prasad was promoted to the post of Foreman with effect from 15-10-79 as his service sheet shows. In the order of reference it has been incorrectly recorded that he was promoted on 14-10-74. This means he was promoted to the next higher post after about 8-1/2 years of his last promotion. Only during the course of argument it was disclosed that the concerned workman has already been promoted as Foreman as back as 13-10-83. This means he was promoted to the next higher post after about 8 years of his last promotion as chageman. The concerned workman was promoted to the post of Chageman on 23-12-80.

22. The concerned workman has stated in his evidence that in the year 1975 a D.P.C. was held but he was not called for interview. Again in the year 1980 a D.P.C. was held and this time also he was not called for interview but surprisingly enough he got promotion as chageman in December, 1980. We find that he was given Cat. VI in February, 1971 and promoted to the post of Chageman in December, 1980. This means he was promoted to the post of Chageman after about 10 years of his last promotion as Cat. VI. On the other hand in case of Shri M. N. Prasad it took about 12-1/2 years. Thus the space of time taken for promotion from Cat. VI to Foreman in case of the concerned workman was less than Shri M. N. Prasad. Of course he was not called for interview but given promotion. That was due to the several representation which were given consideration by the management most probably keeping in view of the fact that he had already gained wide experience as Electrician although he had not obtained low tension or high tension certificate. As stated earlier his supervisory certificate was also falling short. I will deal with his representation later on.

23. It is the case of the concerned workman that he was admitted to one year M.T.S. course as Electrical apprentice under the control and management of NCDC. He was put to the test and obtained 54 marks out of 100 marks. In the W.S. it is stated that due to shortage of necessary posts he and few others were allowed to continue as trainee for another 6 months. But this statement on its every face appears to be falacious. There can be no rule of prudence that period of training will be extended for want of post. However, during the course of evidence he admitted that out of 33 trainees only 10 were declared passed. He was not amongst the 10. 6 months training was extended. Even in the second test he did not qualify. There were some other candidates who failed. Those who had passed were given Cat. V of the Wage Board. The trainees who failed were provided with Cat. II. The witness stated that he refused to accept Cat. II. He further stated that he had represented his case stating that he had passed in the test and so he should be provided with Cat. V. Admittedly the copy of that representation has not been filed in this Tribunal. In the second test he secured 43 marks out of 100, and this time also he could not be absorbed on the regular post of Cat. V. The mark sheet of the second test has been marked as Ext. W-15 showing that the trainee securing 60 per cent and above were placed in 1st class and those obtaining 50 per cent and above were placed in second class. They were declared passed but those who obtained below 50 per cent were declared failed. At this stage the learned counsel for the workman submitted that since the concerned workman had secured 54 marks in the first test he will be deemed to have passed the test. I think the argument cannot be allowed to sustain. In every test and examination the fixation of pass marks varies and it all depend upon the average

mark secured by the candidates. Definitely the mark sheet of the 1st test has not been filed. The question is whether the marking of the first test was ever challenged by the concerned workman? We have no paper to support that it was challenged by the concerned workman. Even in the W.S. there is no whisper of any irregularity and favouritism in marking. Apart from that the concerned workman was not the only trainee who failed. The office order dated 24-6-67 (W-23) is the list of the candidates who failed in the test.

24. It is stated that a passed out trainee from M.T.S. was to be posted in regular post of Cat. V for 6 months as his probationary period and after completion of that period he was to be provided with Electrical Fitter Grade-VI. A true copy of the circular in this regard forms part of the W.S. which is Annexure-J. It may be relevant to quote here the necessary provision of the circular No. 368/TRG/PROM/CI/61 dated 23/24-5-62 :

"Trainees from the Mining Training School may be appointed in Cat. VII of L.A.T. Award after completing the course in the School with the provision that he will get his medium tension permit within 6 months of his posting failing which his probationary period will have to be extended to the limit by which he gets his medium tension permit."

25. The provisions are crystal clear at that a passed out M.T.S. trainee will have to obtain his medium tension permit within 6 months of his posting failing which his probationary period will have to be extended. Admittedly, the concerned workman has not obtained any permit either low, high or medium tension permit. He also could not pass in the test examination. In the circumstances there could have been no question of his posting in Cat. V. So it will be absolutely wrong to suggest that he successfully completed his M.T.S. course. The letter dated 15-10-68 (wrongly written as 15th October, 1965) addressed to the Project Officer, Kathara washery shows that the concerned workman had expressed his willingness to work as Fitter Grade-V. Ext. W-6 shows that a D.P.C. was constituted to consider his case for placing him in Cat. V. After absorption in Cat. V the concerned workman was issued a letter dated 23-11-68 stating that he will be bound by certain terms and conditions of the bond executed by him at the time of M.T.S. training (Ext. W-16). Ext. W-21 is the representation of the concerned workman dated 23-9-68 for placing him in Fitter grade V. Accordingly he was provisionally absorbed in Cat. V with effect from 18-10-68 vide office order dated 23-10-68 (Ext. M-2). This shows that he was given Cat. V and VI on his representation and the management considered his case keeping in view of the fact that he had gained sufficient experience by then.

26. There are few other document which have been filed on behalf of the concerned workman and they are mostly representations for his promotion to the post of chageman and foreman. Ext. W-1 is the letter dated 10-9-77 written to the concerned workman by the Project Officer, Kathara washery conveying him that his various representations were examined by the Chief Engineer, Electrical and Mechanical who found that no injustice was done to him. Ext. W-3 is the office order dated 5-4-71 promoting nine persons including the concerned workman to the post of Fitter Grade-I in Cat. VI with effect from 19-2-71. Ext. W-4 W-11 and W-12 are with respect to outside employment of the concerned workman and they are not relevant for the purpose of this case. Ext. W-5 is the order dated 5-4-71 promoting another 9 persons to Cat. VI Ext. W-7 is the letter dated 27-8-63 addressed to the concerned workman by the Project Officer conveying observation of the Area General Manager, Kargali about his promotion. There was an observation that the case of the concerned workman be considered if vacancy exists and provided he satisfies a D.P.C. Ext. W-10 is the notice dated 8-4-74 whereby the concerned workman and 8 others were called upon to face interview for the post of chageman. Ext. W-14 is the office order posting passed out trainees to Kathara washery provisionally on certain terms and conditions. The name of the concerned workman does

not appear. Ext. W-19 is the letter granting special leave to the concerned workman to appear in supervisory competency examination. Ext. W-20 is the certificate granted by the Principal, MTS farangdth in favour of the concerned workman enabling him to appear in the Electrical supervisory examination. Ext. W-21 is the letter to the Managing Director, CCL by the concerned workman appealing him either to promote him as Electrical Supervisor or to free him from the bond so that he may seek employment elsewhere for the management had no right to spoil his career. It is dated 23-9-68. Ext. W-21/1 to W-21/4 are the letters by the concerned workman requesting the authorities for his promotion to the post of Chageman. Ext. W-21/6 to W-21/9 are representations directed to the Chairman-cum-Managing Director, CCL for promotion to the post of Foreman and Foreman trainee. Similarly there are few other representations of the concerned workman. Ext. W-21 is the photo copy of his Matriculation Certificate. Ext. W-25 is the photo copy of the certificate duly granted by the Supdt. IIT, Katihar, Purnee. Ext. W-26 is the certificate granted by Chowdhury and Sons, a private Engineering concern, Tatanagar. Ext. W-27 and W-27/1 are the photo copy of the admit cards of the concerned workman for Electrical Supervisorship certificate of competency examination.

27. I have carefully examined various aspect of this case and I have compared the case of the concerned workman with that of Shri M. N. Prasad who was definitely in Cat. VI from the very inception of his service. He served the department for about 12 years in that capacity and after that he was promoted to the post of Chageman. I have already stated that the concerned workman cannot be permitted to challenge the situation prevailing prior to his appointment in 1966. The concerned workman was not in the service in the year 1959 when Shri M. N. Prasad had joined. The matter has already been discussed in details and I think the demand of the concerned workman/union is not genuine and bona-fide, and consequently the concerned workman Shri G. N. Singh is not entitled to any relief.

An Award is passed accordingly.

B. RAM, Presiding Officer

नई दिल्ली, 17 मई, 1993

का.आ. 1438—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, कैनरा बैंक के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-93 को प्राप्त हुआ था।

[संख्या एन-12012/29/90 आई आर (बि-2)]

हरीश गौड़, डेस्क अधिकारी

New Delhi, the 17th May, 1993

S.O 1438—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CANARA BANK and their workmen which was received by the Central Government on 14-5-93.

[No. L-12012/29/90-IR(R.II)]

HARISH GAUR, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU, MADRAS

Wednesday, the 24th day of February, 1993

Present :

THIRU M. GOPALASWAMY, B.Sc., B.L., Industrial Tribunal,

#### INDUSTRIAL DISPUTE NO. 49 OF 1990

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Dispute Act, 1947 between the workmen and the management of Canara Bank, Bangalore).

#### BETWEEN

Thiru S. Muthumoney, C/o Canara Bank Employees' Union, 14, 2nd Line Beach Road, Madras-600 001.

#### AND

The General Manager, Canara Bank, 112, Jayachama Rajendra Road, Bangalore-560 002.

#### REFERENCE :

Order No. L-12012/29/90-IR.B II, dated 7-6-1990 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 23rd day of September, 1992 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvargal K. V. Ananthakrishnan and V. Chandrasekaran, Advocates appearing for the workman and of Thiru T. S. Gopalan, Advocate appearing for the management and this dispute having stood over till this day of consideration, this Tribunal made the following.

#### AWARD

This dispute between the workman and the Management of Canara Bank, Bangalore arises out of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India, in its order No. L-12012/29/90-IR. B II date 7-6-90 of the Ministry of Labour for adjudication of the following issue :

"Whether the Action of the Management of Canara Bank in discharging Shri S. Muthumoney upon vide their Order No. MDVC : DAC : 841 : E 37 dt. 2-6-86 is justified ? If not to what relief the concerned workman is entitled ?".

2. The petitioner joined the service of Pandiyan Bank in 1962 as peon. Then after its amalgamation with the Respondent Bank, he was working as peon (sub-staff) under the Respondent. When he was working at Udumalpet branch, he received a charge sheet dated 14-6-1985 alleging that he entered branch office at 4.15 p.m. on 22-4-1985 in a state of intoxication that he behaved rudely and violently he attempted to beat his superiors and thereby omitted gross misconduct punishable under the service code. The domestic enquiry officer Thiru Ganesan found that the charges were proved and proposed dismissal as punishment. The Deputy General Manager without applying his own mind, accepted the recommendations the Enquiry Officer and his findings, but condoned the misconduct by imposing the punishment of discharge from service. The Petitioner preferred appeal to the General Manager without success. Thereafter, he raised the present industrial dispute.

3. The General Manager of Canara Bank is the only authority competent to issue charge-sheet, suspend and discharge the workman. Acting Deputy General Manager who passed the orders against the petitioner did not have power to do so. Hence the entire proceedings culminating in the discharge order are illegal. The evidence is not enough to prove the guilt. The then Branch Manager Thiru Ranganathan enigmatically disposed towards the Petitioner is responsible for these acts of victimisation. The delay in the issue of charge sheet reveals the act of victimisation. None of the affected persons has given a written complaint regarding the incidents involving attempts by the Petitioner to beat the Senior Manager Thiru Jahirudeen and Branch Manager Thiru Ranganathan with iron chair. There is no evidence to prove the fact of drunkenness. The evidence of Thiru Ranganathan is not corroborated. The disciplinary authority did not assess the evidence independence. The management with a pre-conceived mind has procured a favourable report from the domestic enquiry officer and acted upon it. The incidents involve only private behaviour or conduct, not connected with the discharge of official duty. Therefore, the acts do not attract the definition of misconduct found in the service code. Along with the charge sheet, the peti-



tioner was not given copies of other materials and he was not given proper opportunity to explain the charges and also to defend him, effectively.

4. The enquiry officer himself put questions to the witnesses by taking role of prosecuting officer and thereby violated principles of natural justice. Extenuating circumstances were not considered in imposing the punishment. The Petitioner was provoked by Branch Manager Thiru Ranganathan, Senior Manager, and Thiru Zahirudeen by their threats of handing over the Petitioner to the police during the relevant time and for no fault of the Petitioner. Even while serving at Kovilpatti Branch, where Mr. Ranganathan was also working as a Clerk, the latter had enmity feelings towards the Petitioner for his trade union activities. Thiru Ranganathan known for his anti-union activities continued to have ill-feeling towards the petitioner who worked as a Secretary of Trade Union until 1976. He also supported the then Branch Manager, Thiru Rajan on the matter of false charges levelled against Thiru Rajan by Thiru Ranganathan.

In supporting Thiru Rajan the Petitioner exposed Thiru Ranganathan's false accusation published a notice alleging that Thiru Rajan was indulging in corrupt practices. Thiru Ranganathan disliked the Petitioner on account of latter's popularity as a musician and trade union activists. Therefore Thiru Ranganathan who worked as Branch Manager of Udumalpet branch from 1984 has foisted false charges relating to the occurrence on 22-4-1985 and thus he wrecked vengeance against the petitioner.

5. The authority concerned has not taken the Petitioner's past service spanning 26 years and extenuating circumstances in awarding the punishment. The acting Deputy General Manager had no power to award punishment. In any event, the punishment of discharge is too severe to match the trivial charges. Therefore, the order of discharge is liable to be set aside. An award may be passed directing the respondent to reinstate to the petitioner in service, give him full back wages, continuity of service and other attendant benefits.

6. The Respondent states in the counter as follows : The Petitioner has been guilty of chronic absenteeism, being found in the office in a state of intoxication, and disorderly behaviour in the past. He has been given various punishments for such acts of misconduct and indiscipline in the past. Thus he has become unfit to be employed in the Bank.

7. The Petitioner entered the Udumalpet Branch of the Bank at 4.15 p.m. on 22-4-1985 in a drunken state. He refused to leave the branch inspite of advice given by the branch manager Thiru Ranganathan. As the petitioner went on talking to the clerk Mr. Chandrasekaran in a loud tone, the Branch manager advised the clerks including Thiru Chandrasekaran not to have conversation with the petitioner. When the Manager warned that the police would be called to take care of the petitioner, he shouted in an unbecoming manner. The Senior Manager Mr. Zahirudeen then intervened by advising the petitioner to behave properly and return home as the petitioner was not on duty at that time. Just then the petitioner took an iron chair and attempted to beat Mr. Zahirudeen. On seeing this, the branch manager Thiru Ranganathan with the help of other employees physically removed the petitioner to the sofa meant for customers and asked him to remain calm in the sofa. Even at that time, he was told that the police would be called if he did not keep quiet and clear out of the office. At once, the petitioner took an iron chair and attempted to beat Mr. Ranganathan with the chair and also shouted that he would even kill Ranganathan if he tried to hand him over to the police. He abused the Branch Manager Ranganathan in filthy language. Then the petitioner was physically removed by the staff from the branch office. The Inspecting Officer Thiru Kangaswamy who was there doing inspecting at that time has witnessed the entire incidents. For these high handed and disorderly acts, a charge sheet dated 14-6-1985 was issued stating that the petitioner was guilty of grave misconduct under Chapter XI, Regulation 3 Clause (k) of the service code by the Acting Deputy General Manager in his capacity as Disciplinary Authority. Based on the evidence of six management witnesses and 'nil' evidence from the petitioner, the domestic enquiry officer found that the charge were proved and propose punishment of dismissal. But after giving a personal hearing to the petitioner on 25-11-1985 the enquiry officer himself recommended the punishment of discharge instead of dismissal.

This was accepted by the disciplinary authority by passing his orders on 4-6-1986 discharging the petitioner from service. The punishment is lawful and just and there is no ground for interference. Power of General Manager with regard to disciplinary action have been delegated to Deputy General Manager by a resolution of the Board of Directors dated 13.8. Mr. Bhat, Asst. General Manager, in his capacity as Acting Deputy General Manager was empowered to issue the charge sheet and suspend the petitioner. The Branch Manager Thiru Ranganathan had no enmity towards the petitioner and did not have any read to wreak vengeance on the petitioner. Not giving a written complaint (as a forerunner to the charge sheet) by any aggrieved officer cannot effect the proceedings. The evidence given by three responsible officers is enough to prove the charges. The omission of the authorities to make a police complaint against the petitioner has no bearing upon the truth of the charges. Drunkenness of petitioner has been proved by oral evidence of witnesses who said the condition and behaviour of the petitioner. When the charges were committed within the premises of the branch, it can be called as a private quarrel, not capable of attracting the provisions of the Service Code. Full opportunity has been given to the petitioner in the conduct of domestic enquiry. The order of discharge has been rightly passed by the Acting Deputy General Manager. The grave misconduct of the petitioner when proved is sufficient to warrant the punishment of discharge. There were no extenuating circumstances at all. The petitioner's past record of service is not good. The claim is liable to be dismissed.

8. The Petitioner in his reply statement alleges as follows : The averment that Deputy General Manager was empowered to exercise the powers of the General Manager is to be proved. Under the Sastri award, this matter should have been notified to the employees in advance. In any case, the Deputy General Manager had no power, prior to 6-9-1986 to take disciplinary action, by issuing a charge sheet. The petitioner was granted sick leave from 22-4-1985 to 25-4-1985. The allegations that the petitioner acted and behaved in the said manner on 22-4-1985 are false.

9. The points for determination arising in this dispute are as follows :

1. Whether the domestic enquiry has been held fairly and in accordance with rules ?
2. Whether the issuance of charge sheet, order of suspension and the conduct of domestic enquiry are lawful?
3. Whether the evidence is sufficient to prove the charges ?
4. Whether the punishment is just and proper ?
5. To what relief ?

#### 10. Point No. 1

The workman Muthumani gave evidence as W.W.1. The Respondent examined its General Manager (Personnel) who retired in 1987 as M.W. 1. Exhibits W.1 to W.8 and M.1 to M.21 have been marked. The charge sheet Ex. W.2 relates to alleged acts of grave misconduct falling under chapter VI Regulation Sec. 3 Class (k) - Respondent's service code. These acts were allegedly committed by W.W.1 Muthumani, one of the sub-staff between 4.15 p.m. and 5.30 p.m. on 22-4-85, within the premises of Respondent's Branch at Udumalpet at a time when the petitioner was actually on leave. The earliest report of letter given by the Senior Manager of the Branch Zahirudeen dt. 24-4-85 to Dy. General Manager, Madurai is Ex. W.3. This is numbered 10 HO 500 85 SR written at the top. This is a general report touching the conduct of W.W.1. Muthumani and narrating among other things that he has not turned up on 22-4-85, after expiry of leave. Through Ex. W.4 letter, the circle office at Madurai has sought more details from the Branch Sr. Manager regarding the happenings on 22-4-85. Ex. W.4 refers to another letter, sent by the Branch and numbered as 10 HO 515 85 SR dt. 24-4-85, apart from Ex. W.3 letter. The second letter dt. 22-4-85 has not been placed in the record before us. In response to Ex. W.4 seeking detailed and complete information the Senior Manager Zahirudeen has given the reply dt. 7-6-85 with all necessary details, whose

copy is Ex. W.5. All the acts attributed to the delinquent Muthumani as on 22-4-85 find a full description in Ex. W.5 dt. 7-6-85. Admittedly no officer of the respondent had gone to the police with a report against WW1. The charge sheet Ex. W.2 prepared and issued on 14-6-85 is entirely based upon Ex. W.5 dt. 7-6-85. It is true that the petitioner was not given any document besides the charge sheet issued by acting deputy general manager for enabling the petitioner to give his reply. In fact, the petitioner has not chosen to give any reply at all to the charge-sheet Ex. W.2. That indicates his inability to deny the occurrence.

11. The Petitioner's learned counsel argued that the failure of the Management to furnish documents has deprived him of the ability to conduct his defence and cross-examine the management witnesses. The record before us does not show that the petitioner made any demand on the respondent that he needed more documents before giving his reply to the charge memo. Cross examination of witnesses done by the petitioner's defence assistant reveal as that the petitioner has admitted various acts allegedly committed by him except the more incriminating facts that he was in a drunken mood, that he attempted to beat the Branch Manager and Sr. Manager with Iron Chair and hurled abuses at them. The contents of the charge sheet Ex. W.2 are thus complete and they give vividly the whole picture of what he has done on 22-4-85 within the premises of the Branch at Udumalpet when he was actually not on duty. A perusal of the domestic enquiry proceedings show that the defence assistant has touched every aspect and played his part well. Another attack on the fairness of the enquiry is that the Domestic Enquiry Officer Mr. Ganesan himself examined the witnesses including the charge sheeted employee by putting necessary question, that there was no separate presenting or prosecuting officer employed by Respondent and that therefore the conduct of the domestic enquiry officer in that he played the role of prosecutor is gross violation of principles of natural justice. The employment of a separate presenting officer is not contemplated in the service code. The enquiry officer has put only relevant and straight questions to the witnesses. The enquiry officer's examination witnesses does not reveal any sort of prejudice or bias against the workman. On a consideration of all these aspects, I hold on Point No. 1 that the domestic enquiry has been held fairly and in accordance with the service code and without offending the principles of natural justice.

#### 12. Point No. 2

The service code marked as Ex. M. 21 in chapter 4 lays down that the powers of the General Manager who is the Chief Administrator of the Respondent may be transferred to Dy. General Manager or their officers by the Board of Directors. From the issuance of charge sheet to the passing of orders of discharge, all the orders have been passed only by the Dy. General Manager, more precisely acting Dy. General Manager, and not by the General Manager of the respondent bank. This is the position, if we assume that Ex. M. 18 order was not passed really by M.W. 1 the General Manager. According to M.W. 1 Mr. Prabhu, the former General Manager (Personnel) the Board of Directors of the Bank has passed a resolution dt. 30-8-70 marked as Ex. M. 20 delegating the powers of the general manager to the Dy. General Manager, subject to specified exceptions. Ex. W. 1 is a much later resolution of the Board dt. 8-10-86. Ex. W. 1 resolution makes every Dy. General Manager of a Circle Office or Asst. General Manager of the Personnel wing (HO) as the disciplinary authority in respect of a workman. This circular resolution which comes into effect from 6-9-86 is in supersession of earlier circular dt. 16-4-85. One need not trouble too much in the light of Ex. W. 1 and M. 20 in arriving at the conclusion, that there has been a series of resolutions, one superseding the other and that the main object was to delegate the powers of the General Manager with regard to the disciplinary action to the Dy. General Manager. I accept the evidence of M.W. 1 and hold that in terms of Ex. M. 20 circular the Dy. General Manager was empowered to take disciplinary action against members of the sub-staff and therefore the charge sheet issued by Dy. General Manager to W.W.-1 is legally valid. It is the Dy. General Manager who has accepted the findings of the Domestic enquiry officer and decided about the punishment after giving a personal hearing to the petitioner. Office note prepared by the circle office, Madurai and placed before the General Manager M.W.-1 M. Prabhu for awarding punishment dt. 19-2-86 is marked as Ex. M. 18. The office-note regarding

punishment of discharge has been signed by the Divisional Manager and Dy. Gen. Manager. The order of discharge Ex. W.7 signed and passed by the Dy. General Manager must be read with the office note Ex. M. 18 dt. 19-2-86 which contains signatures of various officers including the Dy. General Manager and officers of the legal section. We also find at the end of Ex. M. 18 a copy of a 3 line order purportedly passed and signed by M. W. 1 Prabhu on 15-3-86. Even assuming that M. W. 1 Prabhu who was the then General Manager (Personnel) did not actually pass the order of discharge. An order passed and signed by the then Dy. General Manager on 4-6-86 and served upon the petitioner is proved to be Ex. W. 7 (Page 99 of the typed set). That order refers to the fact that previous permission of the General Manager has been obtained. We find that the Dy. General Manager who has actually passed the order Ex. W. 7 dt. 4-6-86 and communicated the same to the petitioner, has been empowered to do so by Ex. M. 20 resolution dt. 13-8-70. The exceptions mentioned in Ex. M. 20 regarding delegated powers, are that officers do not come under the disciplinary authority of Dy. General Manager and that criminal prosecution is not within their powers. Another objection taken on behalf of the petitioner is that the resolution of the Board of Directors has not been communicated to the workmen as contemplated by the Sastry Award. I do not find much force in this objection, because these circulars relating to resolutions of the Board of Directors should be ordinarily presumed to have been circulated in the normal course and in any event, failure to bring to the notice of the workman, the resolution of the Board is at the worst, a minor irregularity which cannot go to the root of the matter and vitiate the action taken by the authority in terms of the resolution of the Board. Accordingly I find that the order of suspension, issuance of charge sheet and findings and the order of the discharge as a punishment have all been effected, arrived and made by the Dy. General Manager a competent authority to exercise the powers of and sign on behalf of the Dy. General Manager. So Point No. 2 is answered in favour of the respondent.

#### 13. Points No. 3, 4 and 5

Ex. W-6 is copy of the record of enquiry of proceedings. The examination of management witness was started on 14-6-85 by the enquiry officer Mr. Ganesan M.W.1, the then Sr. Manager Zahirudeen deposed that at the material time on 22-4-85 he heard Mr. Renganathan Br. Manager speaking something to the clerks and also the C.S.E. Muthumani in the midst of loud talk, that there upon he came out of his cabin, understood what was happening and found that Muthumani was not in his normal mood and hence he advised Muthumani to go home and take rest. He added that Muthumani upon hearing at his advice got wild and took a folding iron chair and rushed towards M.W. 1 that when he tried to contact the police the phone was out of order, that immediately the Br. Manager Ranganathan M.W. 6 and others conducted Muthumani to the customers sofa and that the inspecting Officer Mr. Rengaswamy, who was a witness to the incident advised Muthumani to go home and return the next day as a hobtr man. The cross examination of M.W.1 was directed to elicit that there was no acceptable evidence to prove that Muthumani was at that time under the influence of alcohol.

14. The inspecting officer, Rengasamy testified as M.W. 2 that he gave instructions to the Br. Manager Ranganathan M.W. 6 to take a serious view of the disorderly conduct of Muthumani in the presence of the inspecting officer and in the midst of an inspection at that time. M.W. 2 Rengasamy stated that he ascertained from the Branch Manager Ranganathan that Muthumani who was on leave on that day but he was shouting inside the branch and creating a scene. When M.W. 2 questioned M.W. 6 the latter replied that he had already advised Mr. Muthumani to go home and leave the office but to no avail. M.W. 2 further deposed that M.W. 6 Ranganathan had a discussion with M.W. 1 Zahirudeen that thereafter, M.W. 1 himself went out of his cabin and requested and advised Mr. Muthumani to quit the Branch, that Muthumani flared up and threatened to beat Mr. Renganathan. He said further that M.W. 6 Renganathan with the help of staff members, physically placed Muthumani on the customers sofa and immediately Muthumani took a folding chair entered into the branch and tried to hit Sr. Manager M.W. 1 Zahirudeen. M.W. 1 Rengasamy thought that Muthumani was in a drunken mood at that time. The most important witness, who has seen Mr. Muthumani's action from



beginning to end is M.W. 6 Ranganathan, the then Branch Manager or second Line Manager. He deposed that Muthumani being on leave on that day, entered the office at about 4.00 p.m. in a drunken mood, that he directly went up to him (Ranganathan) and told that he was afraid of somebody who was chasing him menacingly and that he wanted, shelter within the office. M.W. 6 further told that realising the bad conduct of Muthumani, and knowing his conduct in the past, he sternly advised him to go home without continuing the conversation in loud voice with other clerks in the office. M.W. 6 also warned Mr. Muthumani should be remain in the office and continue to create problem, he would have to call the police to deal with Mr. Muthumani. But Muthumani by not heeding the directions of the M. W. 6, shouted that he would sit in the office and see who would dare bring the police. At this juncture M.W. 1 Zahirudeen Sr. Manager intervened after coming out of his cabin and told Muthumani to go out. M.W. 6 Ranganathan has corroborated the version of M.W. 1 Zahirudeen that Muthumani tried to charge the Sr. Manager by taking the folding iron chair in his hand. M.W. 6 added that he with the help of clerks Iyyasamy and Chandrasekaran disarmed Muthumani and took him to the customer sofa. Then as Muthumani went on talking in vulgar language, M.W. 6 again directed Muthumani to go home. This part of the telling evidence of M.W. 6 is extracted below :— (Page 30(83))

"He then immediately said "

Then I said I will hand you over to the police. He charged me "Muthumani today you are beyond tolerance. If you do not go out I will hand you over to the police definitely. Again he tried to pick up a chair to charge me and said.

Then I went to Sr. Manager. I requested to dial the police station and seek police help. This scene was witnessed by lady staff members and inspection officer. I order to hand him over to the police. Ranganathan asked Ayyasamy to lock the door to keep him inside.

That the office phone was out of order and hence they could not contract the police is also spoken to by M.W. 6 and M.W. 1, M.W. 3 Chandrasekaran clerk of the Branch, M.W. 4 Mancharan another clerk and M.W. 5 Iyyasamy another clerk have also spoken to the conduct of Mr. Muthumani. Except the two things namely, that Mr. Muthumani tried to beat M.W. 1 Zahirudeen and then M.W. 6 Ranganathan with iron chair and that he was in a drunken state, on all other matters M.W. 3, M.W. 5 have corroborated MW 1 MW 2, and M.W. 6 who are officers. CRS. Muthumani in his evidence has admitted his presence in the Office and said that at the instance of the inspecting Officer Mr. Rangasamy (M.W. 2) the Branch Manager Mr. Ranganathan M.W. 6 asked him to quit the Office, that he replied, why should I quit, I am an employee, that he was pushed by Mr. Ranganathan to the sofa, that he and Mr. Ranganathan argued for sometime, that he was taking in high tone, which is his usual tone that when Ranganathan was telling that he would call the police, he replied "you could do so" and he would not leave the Office. He also admitted that Sr. Manager (M.W. 1) was trying to use the phone and that Mr. Rangasamy M. W. 2 the Inspecting Officer wanted the doors to be closed to keep Muthumani inside till the police arrived. He said that he went out of the Office without wishing to stay there any longer. The only things which Muthumani had not admitted in his evidence are using violent and threatening language towards Ranganathan M.W. 6, taking the folding Iron chair and attempting to hit M.W. 1 Zahirudeen firstly and then M.W. 6 Ranganathan secondly and having been in a state of drunkenness.

15. The C.S.F., who was other on leave already granted or who did not attend the office admittedly made his presence in the branch Office at about 4.00 p.m. Eventhough he was an employee, his presence in the office turned unlawful and unauthorised of the moment when M. W. 6 Ranganathan, Branch Manager acting at the instance of M.W. 2 Rangasamy, the Inspecting Officer sternly directed the workman to clear quite out of the office and go home without talking aloud inside the office against the wishes of the Inspecting Officer M.W. 2. On the fact that Muthumani was under the

influence of Alcohol and that he was behaving in a disorderly manner, there is no need for any medical evidence. The behaviour and speech of a drunken man can be found by other people without any special qualification. Whether Mr. Muthumani had taken medicinal alcohol or pure alcohol is irrelevant. His threatening words, his refusal to go out of the office and taking the iron chair and attempting to beat M.W. 1 Zhirudeen, Sr. Manager and also M.W. 6 Mr. Ranganathan, Branch Manager constitute acts of grave indiscipline, dis-order and riotous conduct. The evidence of 3 Officers M.W. 1, MW. 2 and M.W. 6 deserves to be believed. The alleged enmity borne by M.W. 6 Ranganathan towards the delinquent has not been suggested to M.W. 6 during the domestic enquiry. As a matter of fact, it is the advice of M.W. 2 Rangasamy the inspecting officer that has constrained M.W. 6 Mr. Ranganathan, Branch Manager to deal sternly with the workman by directing him to clear out of the office immediately. I reading of the evidence of M.W. 2 Rangasamy will convince us about the truth of the acts committed by the charge sheeted employee at the relevant time, within the office premises. The evidence on the whole, I believe is quite satisfactory, strong and sufficient to prove all the charges. We cannot find anything wrong in the approach of the Domestic Enquiry Officer and his conclusions. The definition of gross mis-conduct found in Chapter XI regulation 3, Clause (k) of the service code Ex. M. 21 reads "Drunkenness or riotous" or disorderly or indecent behaviour in the premises of the Bank". Such riotous behaviour might have been displayed in the branch, totally unconnected with official duty and by using any pretext. I, is not necessary that the misconduct in question should be correlated to the discharge or duty. I find that the charges have been amply-proved by the evidence of the Management witnesses and in the light of the general and broad admissions made by the delinquent himself and his deliberate failure to give reply to the charge sheet.

16. The petitioner has been punished for absenteeism in 1978 in Ex. M. 2 proceedings by making an adverse remarks. Another adverse remark entry was made in his service register by Ex. M. 5 order dated 10-4-1982. The 3rd punishment given to him was stoppage of increment for 6 months under Ex. M. 9 order dated 20-7-1983 on the charge of drunkenness and dis-orderly behaviour. For the 4th time he was found guilty of the charge of drunkenness and indiscipline which occurred on 30-1-1983 for which he was punished under Ex. M. 13 order dated 16-4-1985 with stoppage of increment for 3 years. The service code does not contemplate that a special notice should be issued to the delinquent regarding his past conduct before imposing punishment. Even otherwise, the personal hearing given to him on 25-11-1985 by the enquiry officer before imposing the punishment of discharge satisfies the requirement of natural justice. The Petitioner should have known his past mis-conduct for which domestic enquiries were held and he was punished. The record of personal hearing is found at Page No. 101, in the petitioners typed set of documents. Firstly the punishment proposed was dismissal which deprives the petitioner of all terminal benefits. After hearing the petitioner the Domestic Enquiry Officer has recommended the punishment of discharge by which the petitioner would get his terminal benefits. Discharge is awarded by condonation of the misconduct in a technical sense. The idea of condoning the punishment arises, perhaps as a form of mild treatment of the guilty by way of smoothly discharging him from service, a less painful act compared to dismissal as he is unfit to be retained in service. I am unable to see extenuating circumstances justifying a still lesser punishment.

17. The Domestic enquiry officer and subsequently the Dy. General Manager, who is the disciplinary authority have considered the past record of the petitioner and in the absence of extenuating circumstances (None of which was brought to their notice) they were right in imposing the punishment of discharge by condoning the misconduct in a technical sense. The argument before this Tribunal that the petitioner was provoked by the Br. Manager and other officers to such an extent that he lost his cool and control has no substance. I therefore hold that the punishment of discharge is justified and there is no ground for modification.

18. The principles enunciated in the cases :—

1. Gowri Vs. State of West Bengal reported as 196-B L. I. C. 735.
2. Krishnakumar Vs. District Electrical Engineer—reported as 197 (4) S.C.C. 1989.
3. and Gujarat Steel Tubes Ltd., Vs. G.S.T Mazdoor Sabha—reported as 1980 1. L.L.J. 137.

have no application to the facts of the instant case.

I therefore, find the points 3 to 5 against the petitioner, and hold that he is not entitled to any relief.

(19) In the result an award is passed, dismissing the claim. No Costs.

Dated the day of 24th February, 1993.

THIRU M. GOPALASWAMY, Industrial Tribunal  
WITNESSES EXAMINED

For Workman

W.W. 1—Thiru G. Muthumai (Petitioner-workman).

For Management

M W 1—Thiru G. P. Prabhu.

#### DOCUMENTS MARKED

For Workman

- Ex. W. 1/8-10-86—Circular modifying service code (Xerox copy). z
- Ex. W. 2/146-85—Charge sheet issued to W.W. 1 (Xerox copy).
- Ex. W. 3/22-4-85—Complaint by Senior Manager of the Management against W.W. 1 (Xerox copy).
- Ex. W. 4/16-5-85—Complaint by Manager to Senior Manager of the Management against W.W. 1 (Xerox copy).
- Ex. W. 5/7-6-85—Letter from Senior Manager of the Management to the staff section, Circle Office Madurai (Xerox copy).
- Ex. W. 6/—Proceedings of the Enquiry Officer (Xerox copy).
- Ex. W. 7/—Finding of the enquiry officer and order of discharge (Xerox copy).
- Ex. W. 8/3-987—Proceedings of the Dy. General Manager and order of the Appellate Authority. (Xerox copy).

For Management

- Ex. M. 1/28 7 77—Charge sheet issued to WW1 regarding absenteeism. (Xerox copy).
- Ex. M. 2/30 9-78—Proceedings of the General Manager regarding punishments (Xerox copy).
- Ex. M. 3/29-9-78—Findings of the Enquiry Offices (Xerox copy).
- Ex. M. 4/31-10-81—Charge sheet issued to W.W. 1 (Xerox copy).
- Ex. M. 5/20-4-82—Proceedings of the General Manager regarding punishment (Xerox copy).
- Ex. M. 6/6-2-82—Findings of the Enquiry Officer (Xerox copy).
- Ex. M. 7/20-4-82—Findings of the disciplinary authority (Xerox copy).
- Ex. M. 8/7-1-83—Charge sheet issued to W.W. 1 (Xerox copy).
- Ex. M. 9/20-7-83—Proceedings of the General Manager regarding punishment (Xerox copy).
- Ex. M. 10/2-7-83—Findings of the Enquiry Officer (Xerox copy).

Ex. M. 11/19-7-83—Report of the Enquiry Officer (Xerox copy).

Ex. M. 12/17-4-84—Charge Sheet issued to M.W. 1 (Xerox copy).

Ex. M. 13/16-4-85—Order of punishment issued to W.W. 1 (Xerox copy).

Ex. M. 14/2-1-85—Findings of the Enquiry Officer (Xerox copy).

Ex. M. 15/2-4-85 Report of the Enquiry Officer (Xerox copy).

Ex. M. 16/25-10-79—Complaint by W.W. 1 to the Manager, Canara Bank, Kovilpatti (Xerox copy).

Ex. M-17/25-1-85—Memo issued to W.W. 1 (Xerox copy)

Ex. M. 18/19-2-86—Office note regarding disciplinary action against W.W. 1.

Ex. M. 19/17-5-86—Letter from Management Bank to W.W. 1 in reply to Ex. M. 18.

Ex. M. 20/13-8-70—Extract from the proceedings of the meeting of the Board of Directors.

Ex. M. 27/—Canara Bank Service Code (Book).

नई दिल्ली, 1 जून, 1993

का.आ. 1439.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रांग 17 के अनुसरण में, केन्द्रीय सरकार पटमोहना कोलवरी आफ मैमर्स ई. सी. एल. के प्रबन्धन के संबद्ध नियोक्ताओं और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, ग्रामनमोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

[संख्या एल-22012/99/89-आई आर (सी II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

SO. 1439.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Patmohna Colliery of M/s. E. C. Ltd. and their workmen, which was received by the Central Government on 3-6-1993.

[No. J-22012/99/89-IR(C-II)]

RAJA LAL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 45/89

PRESENT

Shri N. K. Saha, Presiding Officer

PARTIES:

Employers in relation to the Management of Patmohna Colliery of M/s. E. C. Ltd.

AND

Their Workmen.

## APPEARANCES:

For the Employers—Sri B. N. Lala, Advocate.

For the Workmen—Sri C. S. Mukherjee, Advocate.

INDUSTRY: Coal.

STATE: West Bengal

Dated, the 19th May, 1993

## AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (3) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. 22012(99)/89-JR(C.II) dated 3-11-89.

## SCHEDULE

"Whether the action of the Management of Patmohna Colliery of M/s. E. C. Ltd., in not regularising Sri Chandhi Charan Biswas, (2) Jagdish Bouri, (3) Dilip Bouri, (4) Satendar Yadav, (5) Daroga Singh, and (6) Sudhakar Biswas as Clay Cartridge Mazdoors, is justified? If not, to what relief the workmen concerned are entitled?"

2. The case of the union in brief is that all the present six workmen of this case had been working as Clay Cartridge workers for several years at Patmohna Colliery and all through they used to be paid on piece-rates. But the rate was abnormally low in comparison with other piece-rated workers of the colliery. The concerned workmen worked in the premises of the employer in the colliery with the implements and materials supplied by the colliery management. The job of the workmen used to be controlled and supervised by the management. To exploit the workmen the employer colliery used to place the indent in the name of one workman and used to make lump payment through that man for distribution among all the six workmen. The clay cartridge is an essential part of mining operation and integral component of coal industry. By adopting such dubious method the authority did not accept the present workmen as regular employees in spite of demand by the workmen.

3. The workmen raised the dispute through union. But the attempts of conciliation failed. The matter was sent to the Ministry of Labour, Government of India and ultimately the dispute has been referred to this Tribunal for adjudication.

4. The management has filed written objection contending inter-alia that the present Reference is bad and not maintainable in law. Sri Chandhi Charan Biswas the person named in Sl. No. 1 of the order of Reference had been selling clay cartridges on the basis of orders received by him as per the rates stated in the purchase order prior to nationalisation of the coal mines and continued to do so till April, 1988. Sri Chandhi Charan Biswas was a mere seller of clay cartridges. He was not an employee of the colliery. The other five persons named in the order of Reference are mere strangers. None of them had any connection in the matter of supply of clay cartridges made by Sri Chandhi Charan Biswas. Chandhi Charan Biswas was a Trader of Clay Cartridges. In April, 1988 the management stopped purchasing clay cartridges from Chandhi Charan Biswas. The persons named in the Reference are not entitled to get any relief as they are not employees of the colliery.

5. From the submission of both the parties it is understood that clay cartridge is a cylindrical solid stick of clay - 6 inches in length and 1 inch in diameter made from ordinary clay. This clay cartridge issued for blasting of coal in the Seam. At first a hole is made by boring in the coal seam. Then detonator with charging wires is placed at the end of the hole and then the hole is sealed by the clay cartridge. Thereafter the detonator is charged for blasting of coal.

6. It is the case of the management that Chandhi Charan Biswas was a Trader of clay cartridges and he supplied the clay cartridges to the management on the basis of orders placed by the management in the name of Chandhi Charan Biswas and in support of that the management has filed zerox copy of certain orders Exts. M-1 to M-32 and also it is the case of the management that in April, 1988 the management stopped purchasing clay cartridges from Chandhi

Charan Biswas by the letter Ext. M-33. In support of that story the management has examined one Sri Kanai Mahato, Senior Under Manager as MW-1. So it is an admitted fact that Chandhi Charan Biswas, one of the concerned workmen, was the supplier of clay cartridges to the management.

On the other hand Chandhi Charan Biswas has been examined in this case as WW-1. He has stated that he along with other persons named in the order of Reference used to make clay cartridges for blasting of coal in the colliery. They used to do the work of making clay cartridges in the land of the colliery near the pit mouth. The management used to supply water, loose earth and tools and machinery for making such clay cartridges. Supervisors of the management used to supervise their work. The management also used to give them necessary direction for making such clay cartridges. He has admitted that the management used to pay the wages in lump under a voucher in his name and he used to distribute the same among themselves. In support of his statement the union has filed the Payment Register Ext. W-1 and the Register Ext. W-2 showing delivery of cartridges. Considering his statement and the papers submitted by the union, I have no hesitation to hold that all the present six persons including Chandhi Charan Biswas named in the order of Reference were engaged in making clay cartridges.

Sri B. N. Lala the learned Advocate for the management with all force has urged before me that even by stretch of imagination the present six persons can not be deemed or held as workmen of the colliery and he has further urged before me that the clay cartridge is not an essential component of coal industry. With due respect to his contention I like to say that I am unable to look eye to eye with him.

From the materials on record and the facts and circumstances I find that clay cartridge is essential for blasting of coal and without such clay cartridge blasting of coal is not possible. This view gets support from the document of the management itself. It is the case of the management that by letter dated 19-4-88 (Ext. M-33) the management stopped purchasing clay cartridges from Sri Chandhi Charan Biswas. The letter reads as follows:—

"The management has decided not to purchase any Clay Cartridge from suppliers and that the Clay Cartridge for use of the colliery will be prepared departmentally. You are therefore directed not to supply any Clay Cartridge with effect from 25-4-88."

From these contents of the letter it is clear that the management stopped purchase of clay cartridge as the management decided to prepare clay cartridge departmentally.

Now comes the question whether the present persons can be held as workmen of the colliery. From the orders Exts. M-1 to M-32 I have no hesitation to hold that the management invented a device to deprive the present persons named in the order of Reference. I come to such a finding as clay cartridge is not an ordinary marketable commodity. This clay cartridge has no open market except the use in the colliery. On relying upon the principles laid down in the cases reported in 1979 Vol II L.L.J. (S.C.) page 397 (Hussainbhai's case), 1984 Lab. IC page 1235 and 1964 L.L.J. Vol. II (S.C.) page 633 I find that the present six persons named in the order of Reference must be deemed as regular employees of the colliery as the clay cartridge is an essential requirement of the coal industry.

It is admitted that in other units of collieries under the Eastern Coalfields Limited there are regular clay cartridge makers either as piece-rated Gr. I workers or as time-rated workers in Cat. I. But to deprive the present six workmen named in the order of Reference the management invented a device and tried to establish only one of them as a Trader, I find that they were regular employees of Patmohna Colliery and they were engaged by the management in making clay cartridge for use in the coal industry.

6. In the result I find that the action of the management of Patmohna Colliery in not regularising (1) Sri Chandhi Charan Biswas, (2) Jagdish Bouri, (3) Dilip Bouri, (4) Satender Yadav, (5) Daroga Singh and (6) Sudhakar Biswas is not justified.

All the above six persons named in the order of Reference shall be regularised with effect from 3-11-89 date of Re-

ference and reinstated in service as Clay Cartridge Makers in Category-I (time-rated worker) with immediate effect. Having considered the facts and circumstances of the present case and the materials on record it is further ordered that the concerned workmen named in the order of Reference should get their wages and other fringe benefits of time-rated workers in Category-I from the date of Reference i.e. 3-11-89 as the same would meet the ends of social justice. The management shall make payment of such wages and fringe benefits within three months from the date of publication of the Award.

This is my award.  
dated 19.5.1993.

N. K. SAHA, Presiding Officer

नई दिल्ली, 4 जून, 1993

का.आ. 1440.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, एस सी सी एल के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

[संख्या एल-22012/347/89-आईआर (सी-II)]  
राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

S.O. 1440.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government, hereby publishes the award of the Industrial Tribunal, I Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SCC Ltd. and their workmen, which was received by the Central Government of 3-6-93.

[No. L-22012/437/89-IRCTI]  
RAJA LAL, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL A  
HYDERABAD.

PRESENT :

Sri Y. Venkatachalam. M.A., B.L., Industrial Tribunal.

Industrial Dispute No. 28 of 1990.

BETWEEN :

Mrs. Edna Engle,  
Ex-Staff Nurse,  
Singareni Collieries Main Hospital,  
Or. No. 227, Doctors Quarters,  
Kothagudem. ... Petitioner

AND

The Management of Singareni Collieries Company Limited, represented by its Director (Welfare and Administration), Kothagudem, Khamman District.

#### APPEARANCES :—

M/s. G. Bikshapathi, G. Vidyasagar, Vi. Vishwanatham and N. Vinesh Raj, Advocates for the Petitioner.

M/s. K. Srinivasa Murthy and G. Sudha, Advocates for the Respondent.

#### AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012(347)/89-IR(C.II) dated 25-4-1990 referred the following dispute under Section 10(1)(d) & (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the Management of M/s. S.C.C. Limited, Kothagudem and their Workmen to this Tribunal for adjudication :

“Whether the action of the Management of M/s. Singareni Collieries Co. Ltd., Kothagudem in dismissing Mrs. Edna Engle, Staff Nurse, Main Hospital, Kothagudem from service i.e. 4-4-1989, is justified? If not, to what relief the workman concerned is entitled?”

This reference, was registered as Industrial Dispute No. 28 of 1990 and notices were sent to the parties. The Petitioner workman filed the Claim statement and the brief contents of the claim statement are as follows:

2. The petitioner stated that she was appointed as Staff Nurse on 1-7-1977 and she was posted at Singareni Collieries Company Limited, Main Hospital at Kothagudem. She was confirmed in the said post. The petitioner has been discharging her duties to the entire satisfaction of her superiors and she has been maintaining clear record of service ever since her date of appointment. The Petitioner is President of Medical Sanitary Employees Union covering all the employees working in the Hospitals throughout Singareni Collieries Company Limited. She was the President of the said Union from 1985 onwards. Even for the next term, i.e. 1989-95 she was again been elected as President by the Union. In the capacity of the Union, the Petitioner has been representing to various grievances to the Management, including the Medical Superintendent and in number of cases, the matter were after protracted negotiations. However in order to wreck vengeance against the Petitioner for her trade Union activities of the Petitioner and intended to punish her for ground or the other. On 28th September, 1988 the Petitioner was in the main Hospital in first shift i.e. 7.00 A.M. to 3.00 P.M. The petitioner is being posted in the Operation Theatre duties right from her Appointment, as she possessed special training in Ophthalmic Theatre Technical. She was also being used for general operations, including Arthopaedic, F.N.T. etc. On 28-9-1988 at about 12.00 noon, General Mazdoor by name Lakshmi brought a letter signed by the Medical Superintendent which indicates that the Petitioner is punished by way of suspension for three days on the ground that she refused to take a letter when offered by the Management. Since the said punishment is wholly illegal and an act of victimisation the petitioner called on the Medical Superintendent,

Dr. A. Seshagiri Rao at about 1.00 p.m. in his office room as to why such a treatment was given to her. When the petitioner asked the Superintendent as to why she was punished without giving any opportunity, the Superintendent became wild and started shouting loudly by using filthy language. The Petitioner resisted for the said act and thereafter the Superintendent man handled the Petitioner. However, she came out of the clutches of the Medical Superintendent and the Medical Superintendent has virtually misbehaved and tried to assault the petitioner taking the situation at that point of time. However, the petitioner could not report to higher authorities as it is a matter which effects the personal career of the petitioner. Further she was under the impression that the matter will be patched up. But on the other hand, a strange matter took place and she was issued with a charge sheet dated 6-10-1988 alleging that she beat the superintendent on 28-9-1988 at 1.00 p.m. with iron rod causing multiple injuries on his person. The charge itself is so vague that it is highly impossible and impracticable for a lady to beat an Officer thereby causing multiple injuries. The charge is baseless, foisted and concocted against the Petitioner. The Petitioner submitted her explanation, denying the charge as totally baseless and untenable. However without considering the explanation, an enquiry was ordered by the Chief Medical Officer who issued the charge sheet. In this regard it is submitted that the Chief Medical Officer is not the competent Officer to take the disciplinary proceedings against her. It is the only the Director (Welfare and Administration) who is the Officer, under Standing Orders, to take action against the Petitioner and award suitable punishment. However, without any authority of law, the Chief Medical Officer appointed an Enquiry Officer by name Sri R. Sudheer to conduct the enquiry against the petitioner. Sri J. Lakshmi Narayana was nominated as Presenting Officer. The petitioner was represented by Sri B. Appa Rao, General Mazdoor as Defence Assistant. In the enquiry five witnesses were examined on behalf of the Management and the Petitioner examined two other witnesses on her behalf. None of the relevant documents conducted with the enquiry was placed. However, only statements were recorded and also the cross examination done by the respective parties. Finally the Respondent passed the order dated 1-4-1989 dismissing the Petitioner from service with effect from 4-4-1989. The said order of dismissal is illegal and wholly unjustified. Therefore, it is prayed that the Hon'ble Court may be pleased to declare the order of dismissal passed by the Respondent as illegal and direct the Respondent to reinstate the petitioner into service with full back wages and other benefits.

3. On the other hand, the Respondent filed the counter denying all the allegations made in the claim statement. It is further stated that after the Petitioner submitted her explanation as the Management was not satisfied with her explanation to the given charge-sheet, it appointed Sri R. Sudheer as Enquiry Officer to conduct enquiry and appointed Sri J. Lakshminarayana, Sr. Personnel Officer as Presenting Officer. The petitioner was given full and fair opportunity during the enquiry as she took the assistance of Sri B. Appa Rao, who is General Secretary of the Singareni Collieries Medical & Sanitary Employees' Union as 1383 GI/93—11.

her co-workman during the enquiry. The allegation that the Chief Medical Officer is not competent officer to take the disciplinary proceedings against her and that is only the Director competent to initiate disciplinary proceedings and that the action of the Chief Medical Officer is bad in law, is not correct. It may be noticed the Chief Medical Officer as Head of the Medical and Health Department of the entire collieries is empowered to issue charge sheet and initiate disciplinary action. The Chief Medical Officer is also competent to appoint Enquiry Officer and as well as the Presenting Officer. It may be noticed the Standing Orders have not contemplated that a particular person designated to take action against the employees or to Award punishment. The allegation without having the authority of law and Chief Medical Officer has appointed Shri R. Sudheer as Enquiry Officer is not correct. The petitioner for the first time is making all false allegations somehow or the other to get over the charges. It is submitted full and fair opportunity was given to the petitioner during the course of domestic enquiry, management has examined five witnesses and the petitioner as well as her co-workmen were given opportunity to cross-examine all the five witnesses and the petitioner examined herself and also examined two other witnesses. The allegation that none of the relevant documents connected to the enquiry were placed before the Enquiry Officer is not correct. It may be noticed the Doctor's Report with regard to the treatment taken by Dr. A. Seshagiri Rao as well as eye-witnesses to the incident were examined. The persons who have seen the incident have given the oral statements. The Enquiry Officer has forwarded the findings of the enquiry to the Management and the Management looked into the entire record and also the past record of the employee and found there are no extenuating circumstances to take a lenient action on the workman but only proper punishment is dismissal from service. The allegation that the said dismissal order is illegal and wholly unjustified is not correct. There are no merits in the petitioner's case and the Management was right in taking disciplinary action and passing the dismissal order. The petitioner is not entitled either for reinstatement or full back wages as prayed for and other attendant benefits and the petition may be dismissed.

4. No oral or documentary evidence was adduced by the workman in question. M.WI was examined on behalf of the Management and marked Exs. M1 to M8 on its behalf. Ex. MO. 1 was marked as Material object by the Respondent-Management. This Tribunal passed an Order dt. 12-3-1993 holding that the domestic enquiry conducted by the Management is valid.

5. The point for adjudication is whether the action of the Management of M/s. Singareni Collieries Company Limited, Kothagudem in dismissing Mrs. Edna Engle, Staff Nurse, Main Hospital, Kothagudem from service w.e.f. 4-4-1989 is justified?

6. At the very outset I would like to mention that the Petitioner-workman in this case who is an employee of the Respondent-Hospital and who worked as Staff Nurse was faced disciplinary proceedings and a domestic enquiry was held against her. The allegations against the workman are that while the Superintendent of the hospital of the Respondent-Management

ment was in his duty, the petitioner-workman went and bet on his head with an iron rod and the charges were framed against the workman and an enquiry was ordered and ultimately on the basis of the enquiry report the Petitioner-workman was dismissed from service w.e.f. 4-4-1989.

7. Ex. M3 is the Charge Sheet dt. 6-10-1988 issued to the Petitioner-workman with the following charge :

"You were in 1st Shift on 28th September, 1988 At about 1.00 P.M. you entered the office room of Dr. A. Seshagiri Rao, Superintendent, Main Hospital, Kothagudem in his absence, stood hidden behind the curtain and when Dr. A. Seshagiri Rao entered his office and took his seat you assaulted him from behind on his head several times with an iron rod causing multiple injuries on his person.

The above act on your part amounts to Misconduct under Company's Standing Orders No. 16(5). It is also in violation of Rule-3 of the Conduct and Discipline Rules of the Company."

Now the question is whether the Petitioner-workman entered the room of the Superintendent, Main Hospital, Kothagudem when he was absent and that the petitioner workman hid behind the curtain and when Dr. A. Seshagiri Rao entered his office room and took his seat and then the Petitioner-workman hit him with an iron rod causing multiple injuries on his head.

8. Ex. M2 is the explanation to the charge sheet dt. 6-10-1988 wherein the Petitioner stated as follows :

"The allegation that I entered into the office room of Dr. A. Seshagiri Rao, Superintendent, Main Hospital, stood behind the curtain and when he entered his office and took his seat, I have assaulted him from behind on his head several times with an iron rod causing multiple injuries on his person is entirely false, concocted and far from truth.

I submit that I have submitted my representation dt. 28-9-1988 to your kind self about the incident that was taken place in the Superintendent's office on 28-9-1988 stating that as soon as I entered into his office he started shouting on me and abused me with filthy language and finally man-handled me.

But your kindself failed to enquire into the matter and served the charge sheet unilaterally and suspended me without giving any notice or opportunity."

Not satisfied with the explanation Ex. M2 of the Petitioner Workmen, the Respondent-Management ordered domestic enquiry appointing Sri R. Sudheer as Enquiry Officer. The domestic enquiry commenced on 17-10-1988 wherein Sri J. Laxminarayana, was the Presiding Officer while Sri B. Appa Rao, General Mazdoor, P.R.O. Office as defence assistant and the Petitioner-workman Smt. Edna Angle herself examined. In the domestic enquiry five witnesses were examined on behalf of the Management whereas four

witnesses were examined for the Workmen. I have perused the enquiry proceedings at length. The prosecution witness i.e. Sri K. Narayana, Peon, Main Hospital, Kothagudem who was examined as C.W2. He stated that he witnesses Edna Angle beating the superintendent. When he questioned 'Amma Yami Anyayam, and he found the Superintendent bleeding on his head and he was shocked and again stated 'Amma Yami Anyayam'. Then Edna left the room saying 'Nenu Anthu Chestanu' With which rod the delinquent Edna bet the Superintendent. The second point is on which place she bet the Superintendent. He did not state that what weapon she bet the Superintendent Seshagiri Rao and also on which part of the body she bet and also he did not state the nature of the weapon used as to whether the weapon is wooden weapon, iron weapon or a steel weapon. It is significant to note that there is no positive evidence before the Enquiry Officer as to what weapon and the nature of the weapon with which the delinquent bet the Superintendent is not clear. In this Tribunal, the Management placed some steel rod and argued the matter that it is that steel rod with which the delinquent Edna bet the Superintendent. As observed by the Tribunal, the rod is not iron or copper rod but steel rod. If really she bet with a rod which caused bleeding injuries to Dr. Seshagiri Rao in such a case there should be blood stain on the material object i.e. steel rod. As observed the steel rod is a new rod, there are no stains or blood mark and it appears as if it is brought from the market and produced the same before this Tribunal. It is another significant aspect to note that this Tribunal is unable to understand as to why and under what circumstances the Management failed to produce that rod before the Domestic Enquiry Officer and why the Management failed to mark the same before the Domestic Enquiry Officer. It is not the case of the Management that the material object i.e. M.O. 1 the steel rod was not placed and it will be produced before the Tribunal if necessary and the Management did not show any reasons as to and under what circumstances the Management produced the steel rod not right before this Tribunal. The Advocate for the Workman objected for marking that steel rod as the material object in this Tribunal, having kept Management silent during the course of domestic enquiry. If really that material object was there during the course of domestic enquiry naturally the Management should have certainly produced them before the Domestic enquiry. The very fact that the Management failed to produce the steel rod before the Domestic Enquiry Officer, clearly indicates that the rod was not in existence during the course of domestic enquiry and once the very rod is not in existence, the Tribunal can safely conclude that the very theory of the Management that she bet the Superintendent with a steel rod cannot be accepted. Moreover the Management is silent with regard to seizure of the steel rod at what point of time the steel rod was seized, from whom it was seized and infact if really the steel rod was seized subsequently either from the possession of the delinquent Edna or from some other place there should be Panchanama and mediator to that effect. There is no record to show that the material object was recovered from the possession of the delinquent Edna or from other person or place. C.W2 Narayana in his evidence did not state as to with which weapon the delinquent Edna bet and under what part of the

body of the Superintendent bet. Moreover he did not state as to rod was an iron rod, steel rod or copper rod or with any other metal object. In chief examination, Narayana (C.W2) did not state in his evidence with what type of weapon the delinquent Edna bet but in cross examination he stated that it is an iron rod. When this witness was cross examined by the delinquent Edna, he stated that the delinquent Edna bet two or three times. If really two or three strokes were given. Naturally the individual would not even keep quite without giving resistance. There should have been certain blood mark or stain on the material object i.e. steel rod. The evidence of the delinquent Edna is that during the course of her chief examination, she stated that she questioned the Superintendent as to why she was suspended now for simple reason of not taking a letter and justified to take such severe action. On this the Superintendent became angry and shouted loudly saying 'stupid, Bastard, get out from my office, you Nurses have become adamant. While she was saying 'You abuse me whatever you like but you do justice', the Superintendent caught hold of her hand and tried to push her out. She got her hand released forcibly with a jerk and left the room. This was witnessed by P. Bangari (D.W2). The Tribunal feels that it is highly objectionable to hold a lady's hand by a male person.

9. The counsel for the Management has filed various decisions in support of their case. The decision of the Calcutta High Court, ANJUMAN TEA COMPANY LTD. v. STATE OF WEST BENGAL AND OTHERS (II LLJ ? page 461) wherein it is a case of Minor or Major misconduct. This decision has no relevancy to the present case on hand. Another decision cited are JAGANNATH BHATIA v. ORIENT PAPER MILLS LTD. (F.J.R. Vol. X page 70), BRITANNIA BISCUIT CO. LTD. BOMBAY v. THEIR WORKMEN (Vol. XIX F.J.R. page 302), BRITISH INDIA CORPORATION LTD. v. BAKSHI SHER SINGH (Vol. XXIII F.J.R. page 484) etc. etc. All the decisions referred above by the Management also has no relevancy to the present case. It dealt with misconduct and the case on hand does not apply to the facts of the case decided supra. There is no material to show that the Petitioner-Workman committed misconduct under the Standing Orders of the Company. In view of all these things, the charge against the Petitioner-Workman cannot be held proved in question.

10. In the result, the action of the Management of M/s. Singareni Collieries Company Limited, Kothagudem in dismissing Mrs. Edna Engle, Staff Nurse, Main Hospital, Kothagudem from service w.e.f. 4-4-1989 is not justified. The Respondent-Management is directed to reinstate the Petitioner-workman into service with full back wages and other attendant benefits within one month from the date of publication of this Award failing which the Petitioner-workman is entitled to recover the wages from the date of publication of this Award.

11. Award is passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 20th day of April, 1993.

Y. VENKATACHALAM, Industrial Tribunal

## Appendix of Evidence

Witnesses Examined for  
Petitioner-Workman :

NIL

Witnesses Examined for  
Respondent-Management :  
M. WIR. Sudheer.

Documents marked for the Petitioner-Workman

NIL

Documents marked for the Respondent-Management :

- Ex.M1 11-10-88 Copy of the letter issued by the Chief Medical Officer with regard to appointment of R. Sudheer, as Enquiry Officer.
- Ex.M2 9-10-88 Copy of the Representation submitted by the Edna Engle to the Chief Medical Officer, S.C. Co. Ltd., Kothagudem.
- Ex.M3 6-10-88 Copy of the charge sheet issued by the Chief Medical Officer to K. Edna Angle.
- Ex.M4 28-9-88 Complaint dt. 28-9-88 given by the Superintendent Medical Hospital, Kothagudem to the Chief Medical Officer, Kothagudem.
- Ex.M5 28-9-88 Photostat copy of the clinical findings of Dr. U. Srinivas Babu.
- Ex.M6 28-9-88 Original of Ex.M5.
- Ex.M7 17-10-88 Enquiry Proceedings.
- Ex.M8 14-11-88 Enquiry Report.

## MATERIAL OBJECT MARKED :

Ex. MO 1 Steel Rod.

गई दिल्ली, 4 जून, 1993

का.अ. 1441.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, एन सी सी एल के प्रवक्ता के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

[संख्या एन-22012/73/89-आर्द्वार (सी-II)]

राजा बाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

S.O. 1441.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S. C. C. Ltd. and



their workmen, which was received by the Central Government on 3-6-93.

[No. L-22012/73/89-IR (II)]  
RAJA LAL, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL A HYDERABAD

#### PRESENT :

Sri. Y. Venkatachalam, M.A., B.L., Industrial  
Tribunal

Industrial Dispute No. 67 of 1989

#### BETWEEN

The Workmen of S. C. Co. Ltd.,  
Kothagudem, Khammam Dist. A.P.—Petitioner.

#### AND

The Management of S. C. Co. Ltd.,  
Kothagudem, Khammam Dist. A.P.—Respondent.  
APPEARANCES :

M/s. G. Bikshapathi, G. Vidyasagar, V. Vishwanathan, N. Vinesh Raj and P. Giri Krishna, Advocates for the Petitioner-Workman.

M/s. K. Srinivasa Murthy, G. Sudha, V. Usha Rani and Pravara Choudary, Advocates for the Respondent-Management.

#### AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-22012 (73)/89-IR(C.II) dated 22-9-1989 under Section 10(1) (d) (2A) of the Industrial Disputes Act, 1947 between the Management of S. C. Company Ltd., Kothagudem and their workman setting forth the point for adjudication in the schedule appended thereto as follows :

“Whether the action of the Management of M/s. S. C. Co. Ltd., Kothagudem in dismissing Sri J. Nageshwar Rao, Watchman from service w.e.f. 1-6-1986 without observing the principles of natural justice, is justified ? If not, to what relief the workman concerned is entitled ?”

This reference was registered as Industrial Dispute No. 67 of 1989 on the file of this Tribunal. Notices were sent to both the parties.

2. The claim statement filed by the Petitioner-Workman briefly runs as follows.— The Petitioner-Workman is an exserviceman and after his retirement from Army, he was appointed as a Security Guard under the Respondent-management in the year 1982. The workman was maintaining clean record of service throughout. He was posted at ‘B’ Power House Station, Kothagudem. The Petitioner workman was on duty at Power House on 30-11-1984 from 3.00 p.m. to 11.00 p.m. While the workman was performing his duty, he was called by one Sri R. Kameshwara Rao (Shift Engineer) and asked about a cement bag

which is alleged to have been taken away by some other person. The workman expressed his inability to give any information in this regard. However, the workman was asked to follow in a way to the house of Sri Ch. Raja Rao, another watchman of ‘B’ Power House. The cement bag was recovered from the house of Raja Rao in the presence of Mr. Raja Rao who requested to be excused for this incident. The cement bag was brought back to the Power House. It is understood that the cement bag does not belong to the Company and that this was the property of Contractor and the cement bag was returned to him. It is submitted that the Chief Security Officer issued Charge Sheet on 3-12-1984 alleging that the workman committed theft of cement bag from Power House premises. The workman submitted explanation denying the charge. Thereafter, the workman was not informed about the appointment of any Enquiry Officer. But however, Sri M. Vittal Rao, directed the workman to appear before him for an enquiry in connection with charge sheet dt. 3-12-1984, the workman presented before him. About 10 persons were examined for the Management and the workman was examined in defence of his case. The enquiry was conducted in an unfair manner and gross violation of principles of natural justice. In the enquiry, the Senior D.E., Power House who gave report about theft on 1-12-1984 was not examined. The workman was not furnished with any documents such as enquiry report and other connected documents. He was dismissed from service by an order No. P. 10/42000/IR/582 dt. 29-5-1986 with effect from 1-6-1986. The dismissal order is wholly illegal and incompetent. The workman after exhausting departmental representations, raised this I.D. through the Petitioner-Union. It is submitted that the workman was already punished for the minor lapse and his increment due on 1-3-1985 was withheld as a measure of punishment. But, however, consequent on the illegal dismissal order on 25-9-1986 the Management released the increment with retrospective effect and passed the said order. Admittedly, the cement bag was ceased from the house of one Sri Raja Rao, another watchman and in such circumstances, the question of committing theft of cement bag by the workman does not arise. Sri Raja Rao has categorically accepted the theft of cement bag and he requested for pardon, hence he is alone to be considered as a person having committed the theft of property. Even otherwise the cement bag does not belong to company and hence the Standing Order No. 16(2) is not applicable to the facts of the case. The workman did not commit any theft nor is there evidence to show that he had committed fraud or dishonest in connection with company basis. The authority dismissed the workman and did not consider the matter in a fair and proper manner and proceeded in a mechanical fashion, even without giving show cause notice. In any event, the punishment of dismissal is too harsh and disproportionate to the gravity of misconduct alleged against workman. It is prayed that the Hon’ble Tribunal may be pleased to pass an award declaring the order of dismissal dt. 29-4-1986 as illegal, unjustified and violative of principles of natural justice and consequently direct the Respondent to reinstate the workman into service with full back wages with continuity of service and other attendant benefits.



3. The counter statement filed by the Respondent Management briefly runs as follows : At the outset this Respondent denies various allegations made in the claim statement except those which are specifically admitted herein and the petitioner is put to strict proof of the same. It is submitted the workman was appointed as Security Guard in 1982. He was selected in the normal course of Selection for the posts of Security Guard from among the list of ex-servicemen sponsored by the Employment Exchange and other agencies. He was posted to S&PC Department, Kothagudem. It is submitted that while the workman was working in the II Shift at 'B' Power House on 30-11-1984 he committed a theft of cement bag from the Power House premises which was witnessed by Sri P. Sailu and reported to Sri. K. V. S. K. Prasad, Asst. Boiler Attendant. Both Sri Sailu and Sri Prasad reported this matter to Sri. B. Kameshwar Rao, Shift Engineer. Sri Kameshwar Rao verified the facts and reported the matter to Sri P. Ramesh, Sr. Inspector of S&PC Department, Kothagudem. Sri Ramesh immediately made enquiries and went along with Sri J. Nageshwar Rao to the residence of Sri Ch. Raja Rao from where the cement bag was recovered in the presence of the workman i.e. accused. The Management initiated disciplinary action and chargesheet was issued on 3-12-1984 by Chief Security Officer and called upon him to submit explanation. The workman submitted explanation on 8-12-1984. Sri Raja Rao and the workman connived together for the purpose of committing theft. It may be noticed for the purpose of construction activity the main stores of the Respondent released cement to the building contractors, as they can use and stock them near the construction area. Out of the bags allotted to the contractor the workman stolen one cement bag from the premises and as such petitioner cannot make allegation that cement is not the property of company and it is contractor's property. As the cement bag was allotted to contractor the cement bag was returned to the contractor. Not satisfied with the explanation of workman, Management appointed Sri M. Vittal Rao as enquiry officer to conduct enquiry. Domestic enquiry was held, 10 witnesses were examined on behalf of the Management, the workman cross examined the 10 witnesses and he examined himself. No defence witness was put in the enquiry. Enquiry Officer held him guilty of the charges levelled against under Company's Standing Order 16(2) and submitted enquiry findings to Management. The Management has gone through the entire enquiry proceedings and findings and his past record and applied its mind and passed dismissal order on 29-5-1986. The allegation that Senior D.E. was not examined and as such it vitiates the enquiry is not correct. It is true that representation dated 24-7-1987 was submitted by the workman wherein he admitted his guilt and requested the management to pardon him. No such order of punishment withholding increment for the misconduct is issued. The Management initiated disciplinary action against Ch. Raja Rao also and dismissed him from service. The allegation that the authority failed to see that false charge is foisted against workman for observing strict rules of search and seizure from the workman which was not realised by the workman employed in Power House is not correct. Unless he is alert theft will not occur in the Company. These are cases where employees cannot be

reinstated. He is not entitled for the claim of reinstatement or back wages or continuity of service.

4. No oral evidence was adduced on either side. Exs. M1 to M13 were marked on behalf of the Respondent-Management. No documents were filed by the Petitioner-workman. Written arguments were filed by both the parties.

5. At the very outset I would like to state that how far this Tribunal has power to give appropriate relief in case of discharge or dismissal of the workman in adjudication proceedings. Section 11-A of the Industrial Disputes Act, this Tribunal has power to give appropriate relief in case of discharge or dismissal of the workman in dispute. The Tribunal has got power to set aside the order of discharge or dismissal and direct the Management to reinstate the workman on such terms and conditions, if any as it thinks fit on the material available on record. The learned counsel for the Petitioner-workman cited a decision in *Firestone Tyres & Rubbers Co. of India (P) Ltd.* (AIR 1973 SC 127) wherein clearly indicated that the Tribunal is clothed with the power to re-appraise the evidence in the domestic enquiry and satisfy itself whether the said evidence relied on by an employer established the misconduct alleged against a workman. It also held that Tribunal is now at liberty to consider not only whether the evidence of misconduct recorded by an employer is correct but also to differ from the said finding if a proper case is made out. The learned counsel for the Petitioner further states that in respect of case where domestic enquiry has been held, has also in case where the Tribunal considers the matter on the evidence adduced before it for the first time, the satisfaction under Section 11-A, about the guilty or otherwise of the workman concerned, is that of the Tribunal. It has considered the evidence and come to conclusion one way or the other. Even in case where an enquiry has been held by an employer and finding of misconduct arrived at, the Tribunal can now differ from that finding that in a proper case and held that no misconduct is proved. Therefore although the Tribunal has passed a preliminary order holding that the enquiry conducted by the Management is just and proper, still this Hon'ble Court has got jurisdiction to adjudicate the dispute under Section 11-A of the I.D. Act, to consider the gravity of misconduct and the disproportionate punishment on the workman.

6. The written argument submitted by the learned counsel for the Respondent-Management is that Section 11-A cannot be used liberally. One has to see whether punishment awarded is shockingly disproportionate. The principle of Section 11-A is to adjudicate whether it is Tribunal, Labour Court or Arbitrator appointed under Section 10-A to see what would be the normal punishment which could be imposed for the misconduct committed. In the case of *Supreme Court decision in Anakapally Co-operative Agricultural & Industrial Society (1962-II-LLP page 621)* held "fair play and justice obviously mean fair play and social justice to both the parties".

7. I have perused the domestic enquiry file Ex. M11. The evidence of the Petitioner-workman was recorded and also the Management witnesses were recorded. It is true that Sri Ramesh, Jr. Inspector, M. Babu Rao, Watchman and the Petitioner went to

the House of Ch. Raja Rao, Watchman and found the cement bag in the house and took the cement bag along with Ch. Raja Rao in the Van and brought to the Power House. Sri Ramesh told Sri D. Kameshwara Rao, Junior Engineer that the cement bag was found in the house of Ch. Raja Rao, Watchman, Sri D. Kameshwara Rao, Junior Engineer took the written statements from Sri Srisailam, General Maz-door, Sri Amruthalingam Turbine Driver, Sri Pulloji Sailu, Asst. Boiler Attendant and Sri Golla Iyly, Attender about. But the written statement of Sri Ramesh, Junior Inspector was not given by him to show that the cement bag was found in the house of Ch. Raja Rao. It has been proved in the domestic enquiry that Ch. Raja Rao is guilty of the charge of theft of cement bag from the premises of the power House. The charge against the Petitioner-workman was that he connived with Ch. Raja Rao in taking the cement bag to the house of Ch. Raja Rao. Now the question arises whether the stolen cement bag belongs to the Contractor or to the Respondent-Company. The arguments of the Counsel for the Petitioner-workman is that the cement bag belongs to a Civil Contractor who was doing civil work and that Standing Orders No. 16(2) is not relevant at all. Standing Orders No. 16(2) refers to theft in connection with the Company's business or property. Hence the alleged incident in any event does not attract misconducts enumerated in the Standing Orders of the Company. Therefore any penalty much less penalty of dismissal from service is wholly arbitrary and without jurisdiction. In this context, the Respondent-Management has not brought out any evidence to show that the stolen cement bag was the property of the Respondent-Management. Virtually the cement bag which was stolen was with the work of the Contractor, or that there is no complaint whatsoever from the owner of the property that the cement bag was stolen. So I find that the punishment of dismissal from service is shockingly disproportionate to the gravity of the misconduct alleged against the Petitioner-workman. Moreover the other Security Guard Ch. Raja Rao has categorically accepted the theft of cement bag and that the Petitioner Workman cannot be implicated in imposing a major penalty of dismissal from service. I hold action of the Management is not justified in dismissing the Petitioner-workman from service.

8. In the result, the action of the Management of M/s. Singareni Collieries Company Limited, Kothagudem in dismissing Sri J. Nageswar Rao, Watchman from service w.e.f. 1-6-1986 without observing the principles of natural justice is not justified. The Management is directed to reinstate the Petitioner-workman with full back wages with continuity of service and all other attendant benefits.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 24th day of April, 1993.

Y. VENKATACHALAM, Industrial Tribunal.  
Appendix of Evidence.

Witnesses Examined on  
behalf of the Petitioner/  
Workman :

NIL

Witnesses Examined on behalf  
of the Respondent/Management : NIL

NIL

Documents marked for the Petitioner/Workman :  
NIL

Documents marked for the Respondent/Management  
By consent.

Ex. M1 dt. 1-12-84—Copy of the Complaint dt. 1-12-84 given by Sri D.E., PH to the Chief S.O., S. C. Co. Ltd.,

Ex. M2 dt. 3-12-84—Copy of the Charge Sheet in by the Chief Security Officer to Sri J. Nageswara Rao, Watchman, S&PC, Kothagudem.

Ext.M3 dt. 8-12-84—Explanation dt. 8-12-84 submitted by J. Nageswara Rao to the Chief Security Officer, S&PC., S. C. Co. Ltd., Kothagudem Collieries.

Ex.M4 dt. 21-1-85—Appointment letter of Enquiry Officer, Sri M. Vittal Rao, Sr. Personnel Officer, in by E.D., KGM, S.C. Co. Ltd., Kothagudem Collieries.

Ex.M5 dt. 2-2-85—Copy of the Notice of enquiry issued by the Chief Security Officer to Sri J. Nageswara Rao.

Ex. M6 dt. 16-12-85—Copy of the Enquiry Notice issued by the Chief Security Officer to J. Nageswara Rao.

Ex.M7 dt. 19-2-85—Copy of the Enquiry Notice issued by the Chief Security Officer to J. Nageswara Rao.

Ex. M8 dt. 21/25-3-85—Copy of the Enquiry Notice issued by the Chief Security Officer to J. Nageswara Rao.

Ex.M9 dt. 9-5-85—Copy of the Enquiry Notice issued by the Chief Security Officer to J. Nageswara Rao.

Ex.M10 dt. 15-5-85—Copy of the Enquiry Notice issued by the Chief Security Officer to J. Nageswara Rao.

Ex.M11 dt.—Enquiry Proceedings.

Ex.M12 dt.—Enquiry Report

Ex. M13 dt.29-5-86—Copy of the dismissal order issued by the Chief Security Officer to J. Nageswara Rao, Watchman, S&PC., Kothagudem.

Y. VENKATACHALAM, Industrial Tribunal

नई दिल्ली, 4 जून, 1993

का.अ. 1442—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, एस सी सी एल के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, I हेवराबाद के पंचपट को प्रकाशित

करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

[संख्या एन-22012/116/88 डी IV (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

S.O. 1442.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, I Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S. C. C. Ltd. and their workmen, which was received by the Central Government on 3-6-93.

[No. 22012/116/88 D. IV(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (C) AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M. A. B. L., Industrial Tribunal.

INDUSTRIAL DISPUTE NO. 9 OF 1989

BETWEEN :

P. Laxma Reddy represented by Singareni Collieries Trammers & Munshies Association Godavarikhani, Karimnagar District—Petitioner.

AND

1. The Officer on Special Duty, Ministry of Energy, Department of Coal, Government of India, Kalyan Bhavan, Dhanbad-826003, Bihar.
2. The Management of Singareni Collieries Co. Ltd., represented by its General Manager, Area-I, Ramagundam Division, Godavarikhani—Respondents

APPEARANCES :

M/s. G. Bikshapathi, G. Vidyasagar, V. Vishwanatham, N. Vinesh Raj and K. V. V. Bhaskar, Advocates for the Petitioner.

M/s. K. Srinivasa Murthy, G. Sudha, Mitra Das and V. Usha Rani, Advocates for the General Manager, Area-I, Ramagundam Divisional, M/s. S. C. Co. Ltd., Godavarikhani Dist. Karimnagar (A), for Respondent No. 1.

AWARD

The Government of India, Ministry of Labour by its Order No. L-22012/116/88, D. IV(B), dt. 30-12-1988 referred the following dispute under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the Management of Coal Mines Labour Welfare Organisation and their workmen for adjudication :

"Whether the action of the Management of Coal Mine Labour Welfare Organisation represented by the Officer on special Duty, Ministry of Energy, Department of Coal, Kalyan Bhavan, Dhanbad in not transferring the services of Sri P. Laxma Reddy, Ex. Watchman to Singareni Collieries Company Limited, Godavarikhani, District Karimnagar (AP) and his non-absorption by the SCCL w.e.f. 1-10-86 is justified? If not, to what relief the workman concerned is entitled?"

This reference was registered as Industrial Dispute No. 9 of 1989 and notices were issued to the parties.

2. The claim statement runs as follows :

The Petitioner was appointed under the Coal Mines Labour Welfare Organisation, Godavarikhani as Watchman w.e.f. 15-5-1982 on daily rated basis. He was engaged continuously without any break. Though the petitioner was appointed in a permanent vacancy, he was being kept as daily rated Watchman, for the reasons best known to the 1st Respondent. While so, the Coal Mines Labour Welfare Organisation under the control of the 1st Respondent was demobilised with effect from 30-9-1986 and the activities of the Welfare Organisation were taken over by the Singareni Collieries Company Limited. Thus the 1st Respondent Organisation was amalgamated with the 2nd Respondent herein with effect from 1-10-1986. In pursuance of orders of the Government of India, further the workmen working under the said Organisation attached to Singareni Collieries Company Limited were directed to be absorbed by the Singareni Collieries Company Limited. The Petitioner herein and another person K. Laxma Reddy son of K. Raji Reddy who were working as Watchman on the date of amalgamation were not absorbed in the S. C. Co. Limited. The Petitioner further submits that the similarly situated workmen engaged as casual labours were also absorbed. They are Smt. Kamala, Sri Varalu, Sweepers; Sri Girisam and Sri Bapu who were daily rated watchman and junior to the Petitioner were absorbed in the permanent post. But, however, a step-motherly treatment was meted out to the Petitioner by denying his absorption from 1-10-1986. It is further submitted that the petitioner has put in more than four years service and he is entitled for absorption. He cannot be thrown out of service on the ground that he was only a daily rated watchman. Thus, a grave injustice was done to the Petitioner. The first Respondent Management is under an obligation to absorb the Petitioner as Watchman w.e.f. 1-10-1986. In pursuance of the directions of Government of India, no termination have to be effected but the personnel have to be absorbed in Singareni Collieries. The petitioner having represented to the Respondents time and again, approached the Conciliation Officer in September, 1987. The cause of the Petitioner espoused by the Singareni Collieries Trammers & Munshies Association, Godavarikhani. The matter was admitted in conciliation. The representative on behalf of the Coal Mines Labour Welfare Organisation stated that the Petitioner was only a daily rated employee and therefore, he was not absorbed. Similarly, the representative of the 2nd Res-

pondent stated that they are not bound to absorb any person contrary to the order of Government of India. As there was no meeting point, the failure report was sent by the Assistant Labour Commissioner to the Government of India which culminated in the present reference. It is submitted that non-absorption of the Petitioner in Singareni Collieries Company Limited, is illegal and invalid. As per the Government of India directions, all the persons working in the erstwhile Coal Mines Labour Welfare Organisation stationed in Singareni Collieries Company Limited are to be transferred and absorbed in the Singareni Collieries Company Limited. There is no justification in excluding the Petitioner from absorbing, more specially when the similarly situated workman and junior to the petitioner were transferred and absorbed w.e.f. 1-10-1986. The action of the Respondents is nothing but victimisation and unfair labour practice. The reasons assigned by the 2nd Respondent and also the 1st Respondent for denying absorption and employment under the Singareni Collieries Company Limited, is absolutely unjustified and unfair. The Petitioner is allowed to suffer unemployment from 1-10-1986 and he could not secure employment in spite of his efforts. It is, therefore, prayed that the Hon'ble Court may be pleased to hold the action of the Respondents as illegal and arbitrary and consequently pass an Award directing the 1st Respondent to absorb the Petitioner as Watchman with effect from 1-10-1986 with all consequential benefits of arrears of pay, continuity of service etc.

3. The counter filed by the 2nd Respondent read as follows : Without prejudice to the rights of this Respondent (No. 2) it is respectfully submitted that the reference as made by the Government of India vide letter No. L. 22012/116/88-D. IV(B) dt. 30-12-1988 is not maintainable in law. The workman in dispute Sri P. Laxma Reddy is not the workman of this Respondent Company. There is no employer and employee; or workman and management relationship between the parties. Then there is no industrial dispute the question of making a reference under I. D. Act does not arise. This is a dispute between the Officer on Special Duty, Ministry of Energy, Department of Coal, Government of India, Kalyan Bhavan, Dhanbad who is the first respondent herein, and the workman in dispute. There is no dispute so far as this Respondent is concerned. Without admitting for argument sake, it is submitted that if the petitioner is an employee of the Coal Mines Labour Welfare Organisation, the dispute should be between him and the first Respondent Organisation and the reference has to be made to the Industrial Tribunal, Dhanbad, but not to the Industrial Tribunal, Hyderabad. This Hon'ble Tribunal is lacking jurisdiction inherently to try the reference. On this ground alone the reference is liable to be dismissed in limine. It is respectfully submitted that the Central Ex Government passed an enactment called the Coal Mines Labour Welfare Fund Act, 1947 which has been repealed by the Coal Mines Labour Welfare Fund (Repeal) Act, 1986. The said Act was passed for the Welfare of coal miners. Accordingly the Coal Mines Labour Welfare Organisation was constituted under the Act. Officers, workmen, employees, clerks were recruited for the purpose of implementing various schemes under Coal Mines Labour Welfare Fund Act and also to run the insti-

tutions which provide welfare amenities to the coal miners. They have deputed their staff to all the coal mines only to implement the welfare activities. This Respondent has no knowledge how many people are working in Coal Mines Labour Welfare Organisation and in what capacity they are working whether appointed as regular employees or casual labour. When the matters were pending thus, the Government of India repealed the Act and under Sub-Section (2) of Section 1 Repeal Act of 1986 issued a notification to the effect that the Coal Mines Welfare Organisation will cease to function from 1st October, 1986. Thus, the Coal Mines Labour Welfare Organisation ceased to exist from 1-10-1986. It is respectfully submitted that the Government of India by its letter No. 11021/6/86-CSW dt. 22-9-1986 notified its Scheme with regard to abolition of Coal Mines Labour Welfare Organisation and all the regular full time employees of this organisation will stand transferred to the cadres of the respective coal companies from 1st October, 1986 and they have been given various jobs as per the rules and regulations of the concerned coal company. Accordingly, the Government of India, Ministry of Energy, Department of Coal, issued a letter No. Adm. 44(4)/86 dated 30th September, 1986 giving the number of staff working full time, part-time at Kothagudem, Bellampalli etc., looking after the welfare activities of the second respondent company in various areas. According to the Government of India's instructions, the personnel whose names were in the list were absorbed in their respective categories in the Company and complied with the instructions given by the Government. It is respectfully submitted that the name of the workman in dispute is not in the list. As such the Respondent company could not provide him employment. As stated earlier this Respondent has no knowledge of what is the previous employment of the petitioner in the dispute. It is the first Respondent to answer. The allegation that the Coal Mines Labour Welfare Organisation under the control of Second Respondent was taken over by the S. C. Company Limited is not correct. It ceased to be in existence by virtue of the Government of India's notification dt. 19th September, 1986 and as per the Government instructions all the permanent employees, whose names were notified, were absorbed in the Coal companies. The allegation that the 1st Respondent Organisation was amalgamated with the 2nd Respondent company with effect from 1-10-1986 is not correct and the petitioner is put to strict proof of the same. The further allegation that K. Laxma Reddy, son of K. Raji Reddy who was working as watchman on the date of amalgamation was not absorbed in the Singareni Collieries Company Limited is not correct. Neither there was an amalgamation nor was there absorption as alleged. The further allegation that the Respondent company absorbed similarly situated workmen engaged as casual labour is not correct. The petitioner cited names of some of the workmen on the alleged ground that they are juniors and they were absorbed. So far as Smt. Kamala, Sri Varalu, Girisham and Bapu are concerned, they are daily rated Sweepers and Watchmen respectively. They are not similarly placed employees like the petitioner in dispute. The allegation that Smt. Kamala, Sri Varalu, Girisham and Bapu were appointed as daily rated sweepers watchman and they are juniors to this petitioner is not correct and petitioner cannot compare his case with the others. This Respondent

has no knowledge who is the senior or who is the junior or whether they are casual labour. It is submitted the petitioner being a temporary casual labour appointed on daily rated wages according to exigencies cannot claim for permanent post. If any grievance is there for any workman of the Coal Mines Labour Welfare Organisation, it is for the second Respondent to redress it and the 1st Respondent herein has nothing to do with the service matter of Sri P. Laxma Reddy. The petitioner has mixed the material facts to suit his convenience to make a demand for a permanent post. It is also well settled law no casual labour, daily-rated workmen or temporary workman cannot make a demand to make them permanent. When the regular procedure of recruitment is there all public sector undertakings and Government organisations have to follow the procedure and make recruitments. So far as the petitioner is concerned, the Government of India nor the 2nd Respondent had not recommended his name, the question of this Respondent Company denying absorption of the petitioner does not arise. It may be noticed the Petitioner Union, S. C. Trammers and Munchies Association, Godavari Khani has no locus standi to espouse the cause of third party Organisation and making a demand with this Respondent to give a job to the Petitioner Workman. All the above material facts were brought to the notice of the Conciliation Officers and the Conciliation Officer has not looked into them in correct perspective at all and without going into the merits of the case itself, he made a reference. The reference itself being bad in law the question of petitioner seeking remedy does not arise. The allegation that there is no justification in excluding the petitioner in absorbing does not arise as his name is not figuring in the Government of India orders. The Petitioner is not entitled to claim relief to hold the action of this Respondent as illegal and arbitrary and consequently for a direction to absorb him as Watchman from 1st October 1986 and he be given all benefits does not arise. The Petitioner is not entitled to claim any relief much less the relief prayed in the claim petition against this Respondent as if any relief he is interested to seek is there, it is against the second Respondent and not against the 1st Respondent Company. The Respondent Company prays that this Hon'ble Court may be pleased to hold the action of the Management of not absorbing the Petitioner as justified, and the workman is not entitled for the relief prayed against the Respondent Company and pass orders accordingly.

4. On behalf of the Workmen W. W1 was examined and Exs. W1 to W3 were marked, and on behalf of the Management, M.W.1 was examined and Exs. M1 to M7 were marked.

5. The point for adjudication is whether the action of the Management of Coal Mine Labour Welfare Organisation represented by the Officer on Special Duty, Ministry of Energy, Department of Coal, Kalyan Bhavan, Dhanbad in not transferring the services of Sri P. Laxma Reddy, Ex-Watchman to Singareni Collieries Company Limited, Godavari Khani, Dist. Karimnagar (AP) and his non-absorption by the Singareni Collieries Company Limited w.e.f. 1-10-86 is justified? If not, to what relief the workman concerned is entitled?

6. POINT: The case of the Petitioner-workman is that he was appointed under the Coal Mines Labour Welfare Organisation, Godavari Khani as Watchman w.e.f. 15-5-1982 on daily rated basis. While so, the Coal Mines Labour Welfare Organisation was demobilised w.e.f. 9-9-1986 and the activi-

ties of the Welfare Organisation were taken over by the Singareni Collieries Company Limited. Hence the 1st Respondent Organisation was amalgamated with the 2nd Respondent w.e.f. 1-10-1986. As per the orders of the Government of India, the workmen working under the 1st Respondent attached to Singareni Collieries Company Limited were directed to be absorbed by the Singareni Collieries Company Limited and that the petitioner as well as another person by name K. Laxman Reddy son of K. Raji Reddy who were working as Watchman on the date of amalgamation were not absorbed in the Singareni Collieries Company Limited. The contention of the Management is that the workmen in dispute Sri P. Laxma Reddy is not the workman of this 2nd Respondent Company. This is a dispute between the Officer on Special Duty, Ministry of Energy, Department of Coal, Government of India, Kalyan Bhavan, Dhanbad who is the First Respondent herein and the workman in dispute. It is further submitted that if the Petitioner-workman is an employee of the Coal Mines Labour Welfare Organisation, the dispute should be between him and the First Respondent and the reference has to be made to the Industrial Tribunal, Dhanbad not to the Industrial Tribunal, Hyderabad. It is further the contention of the 2nd Respondent that the Coal Mines Labour Welfare Organisation ceased to exist from 1-10-1986 and that as per letter No. 11021/6/86-CSW dt. 22-9-1986 notified its Scheme with regard to abolition of Coal Mines Labour Welfare Organisation and all the regular full time employees of this Organisation will stand transferred to the cadres of the respective coal companies from 1-10-1986 and they have been given various jobs as per the rules and regulations of the concerned coal companies. The Government of India Ministry of Energy, issued a letter No. Adm. 44(4)/86 dated 30-9-1986 giving the number of staff working full time, part-time at Kothagudem, Bellampalli etc., looking after the Welfare activities of the 2nd Respondent Company in various areas, accordingly the personnel whose names were in the list were absorbed in their respective categories in the Company, but the name of the Petitioner was not found in the list, hence the petitioner could not be absorbed in the 2nd Respondent Company.

7. It is evident from the records that from 1-10-1986 the Coal Mines Labour Welfare Organisation was amalgamated with the Singareni Collieries Company Limited i.e. the 2nd Respondent Company, and that the Petitioner-workman was not absorbed by the 2nd Respondent Company but only the regular staff of erstwhile Coal Mines Labour Welfare Organisation were transferred to the Second Respondent Company as per the order dated 22-9-1986 of the Ministry of Energy, Department of Coal, Government of India under Ex. M2. Ex. M7 is the copy of the service particulars of the Staff transferred from First Respondent to Second Respondent and that the name of the Petitioner is not mentioned in Ex. M7, as the Petitioner was working as Casual labourer and that the 2nd Respondent was right in not absorbing the Petitioner workman into service. The argument of the counsel for the Petitioner is that some of petitioner's juniors namely, Mrs. Kamala Varabalu, Girisham and Bapu were absorbed by the Second Respondent and that they were casual labourers. Against this, the 2nd Respondent stated in the counter that whatever list was given by the Government of India, the workmen in the list were only absorbed in the Coal Companies. It is further stated by the Respondent that so far as the Petitioner is concerned neither the Government of India nor the First Respondent had not recommended the name of the Petitioner and hence the Petitioner was rightly not absorbed in the 2nd Respondent Company. If there are any grievances for any workmen of the Coal Mines Labour Welfare Organisation, it is for the 1st Respondent to redress their grievances and that the 2nd Respondent has nothing to do with the service matter of Petitioner-workman. It is pertinent to note that the Officer on Special Duty, Ministry of Energy, Government of India vide Lr. No. Adm. ID(DRW)/87 dt. 13-2-1989 addressed to this Tribunal (which is attached to the reference) in para 2 which read as follows:

"The Central Government subsequently passed the Coal Mines Labour Welfare Fund (Repeal) Act, 1986 whereby the Coal Mines Labour Welfare Organisation was abolished. It was decided by the Administrative Ministry i.e. Department of Coal vide its letter No. 11021/3/86-CSW dt. 18th September, 1986 that the services of the part-time employees should be dispensed with.

8. In view of the above material on record, I find that there is no justification on the part of the Petitioner-workman in seeking absorption in the 2nd Respondent-Company as he was a casual labourer under the 1st Respondent-Organisation and that the name of the Petitioner was not mentioned in any of the orders of the Government of India, Ministry of Energy and that the 2nd Respondent Company was right in not absorbing the Petitioner workman in the Company and that there is no dispute between the Petitioner and the 2nd Respondent-Company.

9. In the result, the action of the Management of Coal Mine Labour Welfare Organisation represented by the Officer on Special Duty, Ministry of Energy, Department of Coal, Kalyan Bhavan, Dhanbad in not transferring the services of Sri P. Laxma Reddy, Ex-Watchman to Singareni Collieries Company Limited, Godavarikhani, District Karimnagar and his non-absorption by the SCCL w.e.f. 1-10-1986 is justified. The Petitioner-workman is not entitled to any relief.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 15th day of April, 1993.

Y. VENKATACHALAM, Industrial Tribunal  
Appendix of Evidence

Witnesses Examined

for the Workmen :

W. W1 P. Laxma Reddy

Witnesses Examined for  
the Management (2nd Respondent :

M. W1 N. S. Murthy

Documents marked for the Workman :

Ex. W1 30-9-86 Photostat copy of the Service Certificate dt. 30-9-1986 issued to P. Laxma Reddy by the Junior Engineer, Coal Mines Welfare Works, Godavari Khani (A. P.)

Ex. W2 4-2-82 Request letter dt. 4-2-1987 of P. Laxma Reddy to the General Manager, S.C. Co. Ltd., Ramagundam Division, Area I for absorption in the Company.

Ex. W3 9-7-88 Failure of conciliation report dt. 9-7-88.

Documents marked for the Respondent No. 2-Management :

Ex. M1 19-9-86 Xerox copy of the notification dt. 19-9-86 issued by the Joint Secretary to the Government of India, Ministry of Energy, Dept. of Coal.

Ex. M2 22-9-86 Copy of the letter No. 11021/6/86-CSW, dated 22-9-1986 issued by the Director, Govt. of India, Ministry of Energy, Department of Coal to the Chairman, Coal India Limited, and the Chairman & M.D., S.C. Co. Ltd., Kothagudem Collieries with regard to abolition of Coal Mines Labour Welfare Organisation transfer of its activities to coal India Limited.

Ex. M3 26-7-85 Copy of the letter No. S-21019/4/84 CSW, dated 26-7-85 issued by the Director, Govt. of India Ministry of Steel Mines & Coal, Department of Coal to the Coal Mines Welfare Commissioner, Dhanbad with regard to transfer of hospitals etc.

Ex. M4 27-11-86 Copy of the letter No. EE/Est./II/3(33)80-389-90 dt. 27-11-86 addressed by the Executive Engineer, Eastern Coalfields Limited, Kalla, Asansol to the Director (P) S.C. Co. Ltd., Kothagudem with regard to transfer of Engineering units of Coal Mines.

Ex. M5 19-9-86 Copy of the Notification No. 11021/1/85-CSW dt. 19-9-1986 issued by the Joint Secretary to Govt. of India, Ministry of Energy, Department of Coal with regard to powers conferred by Sub-Section (2) of section 1 of the Coal Mines Labour Welfare Fund (Repeal) Act, 1986 (27 of 1986).

Ex. M6 30-9-86 Copy of the letter No. Adm. 12(1)86, dt. 30-9-86 forwarded by the officer on Special Duty, Govt. of India, Ministry of Energy, Dept. of Coal, to the Director (P) S.C. Co. Ltd., Kothagudem with regard to re-designation of the post of Coal Mines Labour Welfare Organisation as Officer on Special Duty.

Ex. M7 3-10-86 Copy of the letter No. Admn. 44(4) 85 dt. 3-10-86 addressed by the Assistant Secretary (Admn.) Govt. of India, Ministry of Labour, Dept. of Coal to the G.M. (M.P. & I.C.) Coal India Ltd., Calcutta, with regard to Staff strength in the office of the Welfare Administrator, Kothagudem.

नई दिल्ली, 4 जून, 1993

का.आ. 1443 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, एस सी सी एल के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

[संख्या एल-22012/115/88 डी IV-(बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

S.O. 1443.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal I, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of SCC. Ltd. and their workmen, which was received by the Central Government on 3-6-93.

[No. L 22012/115/88 D-IV(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (C)  
AT HYDERABAD.

PRESENT :—

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal.

INDUSTRIAL DISPUTE NO. 13 OF 1989

BETWEEN :

K. Laxma Reddy represented by Singareni Collieries Trammers & Munshies Association, Godavarikhani, Karimnagar Distt.

... Petitioner.

AND

1. The Officer on Special Duty, Ministry of Energy, Department of Coal, Govt. of India, Kalyan Bhavan, Dhanbad-826 003, Bihar.

2. The Management of Singareni Collieries Co. Ltd., represented by its General Manager, Area-I, Ramagundam Division, Godavarikhani. ... Respondents,

APPEARANCES :—

M/s. G. Bikshapathi, G. Vidyasagar, V. Vishwanatham, N. Vinesh Raj and K. V. V. Bhaskar, Advocates for the workmen.

None for the Management of Coal Mines Labour Welfare Organisation, Dhanbad-Respondent No. 1



Ms. K. Srinivasa Murthy, G. Sudha, Mitra Das and V. Usha Rani, Advocates for the General Manager, Area-I, Ramagundam Division, M/s. S. C. Co. Ltd., Godavarikhani-Respondent No. 2.

### AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012/115/88-D.IV.B dated 20-12-1988 referred the following dispute under Section 10(1)(d) & (2A) of the Industrial Disputes Act, 1947 between the employers in relation to the Management of Coal Mines Labour Welfare Organisation and their Workmen to this Tribunal for adjudication :

"Whether the action of the Management of Coal Mines Labour Welfare Organisation represented by the Officer on Special Duty, Ministry of Energy, Department of Coal, Kalyan Bhavan, Dhanbad in not transferring the services of Sri K. Laxma Reddy, Ex-Watchman to Singarani Collieries Co. Ltd., Godavarikhani, Dist. Karimnagar, (A.P) and his non-absorption by the SCCL w.e.f. 1-10-1986 is justified? If not, to what relief the workman concerned is entitled?"

This reference was registered as Industrial Dispute No. 13 of 1989 in this Tribunal and notices were sent to both sides. The workman filed claim statement represented by Singarani Collieries Trammers & Munshies Association, Godavarikhani. The brief facts of the claim statement are as follows :

2. The Petitioner workman was appointed under the Coal Mines Labour Welfare Organisation, Godavarikhani, by the 1st Respondent herein as Watchman w.e.f. 1-4-1977 on daily rated basis. The Coal Mines Labour Welfare Organisation under the control of the 1st Respondent was de-mobilised w.e.f. 30-9-1986 and the activities of the Welfare Organisation were taken over by the Singarani Collieries Company Limited. Thus the 1st Respondent Organisation was amalgamated with the 2nd Respondent herein w.e.f. 1-10-1986. In pursuance of orders of the Government of India further the workman working under the said Organisation attached to Singarani Collieries Company Limited were directed to be absorbed by the Singarani Collieries Company Limited. The Petitioner herein and another person P. Laxma Reddy s/o Thimma Reddy who were working as Watchman on the date of amalgamation were not absorbed in the Singarani Collieries Company Limited. The Petitioner further submits that the similarly situated workmen engaged as casual labours were also absorbed. They are Smt. Kamala, Sri Varahu, Sweepers, Sri Girisham and Sri Bapu who were daily rated Watchman and junior to the Petitioner were absorbed in the permanent post. It is further submitted that the Petitioner has put in 9-1/2 years of service and he is entitled for absorption. The 2nd Respondent Management is under an obligation to absorb the Petitioner as Watchman w.e.f. 1-10-1986. In pursuance of the direction of Government of India, no termination have to be effected but the personnel have to be absorbed in Singarani Collieries. The

cause of the Petitioner espoused by the Singarani Collieries Trammers & Munshies Association, Godavarikhani. The representative on behalf of the Coal Mines Labour Welfare Organisation stated that the petitioner was only a daily rated employee and therefore he was not absorbed. Similarly, the representative of the 2nd Respondent stated that they are not bound to absorb any person contrary to the order of Government of India. Hence the failure report. It is submitted that non-absorption of the Petitioner in Singarani Collieries Company Limited is illegal and invalid. There is no justification in excluding the Petitioner from absorbing more especially when the similarly situated workmen and junior to the petitioner were transferred and absorbed w.e.f. 1-10-1986. The Petitioner is allowed to suffer unemployment from 1-10-1986. It is therefore, prayed that the Hon'ble Court may be pleased to hold the action of the Respondent as illegal and arbitrary and consequently pass an award directing the 2nd Respondent to absorb the petitioner as Watchman w.e.f. 1-10-1986 with all consequential benefits of arrears of pay, continuity of service etc.

3. A counter was filed on behalf of the 2nd Respondent inter alia contending that this Respondent denies the various allegations made in the claim statement except those which are specifically admitted herein. It is respectfully submitted that the reference as made by the Government of India vide letter No. L-22012/116/88-D.IV(B), dated 30-12-1988 is not maintainable in law. The workman Sri K. Laxma Reddy is not the workman of this Respondent. There is no 'employer' and 'employee' relationship between the parties. When there is no industrial dispute, the question of making a reference under the I.D. Act does not arise. It is submitted that if the Petitioner is an employee of the Coal Mines Labour Welfare Organisation, the dispute should be between him and the First Respondent Organisation and the reference has to be made to the Industrial Tribunal, Dhanbad but not to the Industrial Tribunal, Hyderabad. It is respectfully submitted that the Central Government passed an enactment called the Coal Mines Labour Welfare Fund Act, 1947 which has been repealed by the Coal Mines Labour Welfare Fund (Repeal) Act, 1986. The said Act was passed for the welfare of coal miners. Accordingly the Coal Mines Labour Welfare Organisation was constituted under the Act. Officers, Workmen, employees, clerks were recruited for the purpose of implementing various schemes under Coal Mines Labour Welfare Fund Act and also to run the institution which provide welfare amenities to the coal miners. They have deputed their staff to all the coal mines only to implement the welfare activities. When the matters were pending thus, the Government of India repealed the Act and under Sub-Section (2) of Section 1 Repeal Act of 1986 issued a notification that the Coal Mines Welfare Organisation will cease to function from 1-10-1986, thus ceased to exist from 1-10-1986. The Government of India by its letter No. 11021/6/86-CSW dated 22-9-1986 notified its scheme with regard to abolition of Coal Mines Labour Welfare Organisation and all the regular full time employees of this Organisation will stand transferred to the cadres of the respective coal companies from 1-10-1986 and they have been given various jobs as per the rules and regulations of the concerned coal company. Accord-

ingly by another letter So. Adm. 44(4)/86 dated 30th September, 1986 giving the number of staff working full time, part-time, at Kothagudam, Bellampalli etc., looking after the welfare activities of the second Respondent company in various areas. According to the Government of India's instructions, the personnel whose names were in the list were absorbed in their respective categories in the Company and complied with the instructions given by the Government. It is submitted that the name of the workman in dispute is not in the list. As such the Respondent Company No. 2 could not provide him employment. The allegation that the first Respondent Organisation was amalgamated with the second Respondent Company with effect from 1-10-1986 is not correct. The allegation that P. Laxma Reddy S/o Timma Reddy who was working as Watchman on the date of amalgamation was not absorbed in the Singarani Collieries Company Limited is not correct. The allegation that Smt. Kamala, Sri Varalu, Sri Girisham and Sri Bapu were appointed as daily-rated Sweepers/Watchman and they are juniors to this Petitioner is not correct. Whatever list was given by the Government of India the workmen in that list were absorbed in the coal companies. If any grievance is there for any workmen of the Coal Mines Labour Welfare Organisation, it is for the first Respondent to redress it and the 2nd Respondent herein has nothing to do with the service matter of Sri K. Laxma Reddy. So far as the Petitioner is concerned the Government of India nor the first Respondent had not recommended his name, the question of this Respondent denying the absorption of the petitioner does not arise. It may be noticed the petitioner Union, SC/Trammers & Minshies Association, Godavarikhani, has no locus standi to espouse the cause of third party organisation and making a demand with this Respondent to give a job to the Petitioner-workman. All the recognised unions and Associations can raise disputes with regard to the workmen coming within the definition of workmen under I.D. Act and where there is privity of contract and where there is employer and employee relationship between the parties but not to the strangers case. All permanent regular workmen on the rolls of the Coal Mines Labour Welfare Organisation stationed in Singarani Collieries Company Limited alone have to be absorbed according to the list given by them and which was complied. The Petitioner is not entitled to claim any relief, much less the relief prayed in the claim petition against this Respondent and if any relief he is interested to seek is there, it is against the 1st Respondent and not against the 2nd Respondent. The Petitioner has unnecessarily made this Respondent a party and has not chosen to make the Coal Mines Labour Welfare Organisation as party to this dispute. The workman is not entitled for the relief prayed.

4. The workman himself examined as W.W1 and marked Exs. W1 to W6 on behalf of the workman. On behalf of the 2nd Respondent, M.W1 was examined and marked Exs. M1 to M6 on its side. The evidence of W.W1 in brief is as follows :

5. W.W1 gave evidence that he is the concerned workman in this dispute. He worked as Watchman in Coal Mines Labour Welfare Association from the year 1977 to 1986. From 1-10-1986 the Coal Mines Labour Welfare Organisation amalgamated with the

Singarani Collieries Company Limited. When it was amalgamated he was removed from service and he was not absorbed by Singarani Collieries Company Limited, Kamala, Varahalu, Girisham and Bapu were also working in Coal Mines Labour Welfare Organisation and when it was amalgamated, they were absorbed in S. Collieries. In service, they were far juniors to me. Ex. W1 is his service certificate. He has represented to several times for his absorption to various authorities. Ex. W2 to Ex. W4 are his representations. Eversince from the removal from service he has no other job till now. He was not absorbed inspite of his several representations. He may be reinstated with attendant benefits. Ex. W5 is the Minutes of conciliation proceedings. Ex. W6 is certificate issued by Medical Superintendent, Regional Hospital, Ramagundam.

6. The evidence of M. W1 that he has been working as Dy. Personnel Manager in the Respondent Company since 1-10-1986, that previously he worked as Welfare Administrator in the Coal Mines Labour Welfare Organisation Department of the Department of Coal, Ministry of Energy, Government of India which has no concern with the 2nd Respondent Company, that after abolition of Coal Mines Labour Welfare Organisation on 1-10-1986 his services have been transferred to the 2nd Respondent Company and ever since then he has been working in the Respondent Company. He knows the Petitioner and he was daily rated mazdoor in the Engineering Wing of Coal Mines Labour Welfare Organisation. Ex. M1 is the photostat copy of the notification dated 19-9-1986 under which the Coal Mines Labour Fund (Repeal) Act 1986 came into force, that after abolition of Organisation under Ex. M1 the regular staff of the erstwhile Coal Mines Labour Welfare Organisation was transferred to Singarani Collieries Company Limited that the buildings and other landed property were also transferred to Singarani Collieries Company Limited under Ex. M2, that Ex. M3 is the order dated 26-7-1985 transferring the Regional Hospital at Ramagundam to Singarani Collieries Company Limited, that Ex. M4 is the covering letter along with the salary particulars of the three regular staff as on 30-9-1986 of the Executive Engineer, Eastern Coal Fields Limited, Kalla, Asansol, West Bengal to the Director (Personal) Singarani Collieries Company Limited that Ex. M5 is the order dated 30-9-1966 of the Officer in Special Duty for takingover the charge of Coal Mines Welfare Commissioner w.e.f 1-10-1986, that Ex. M6 is the service particulars of the staff transferred from the Coal Mines Labour Welfare Organisation to Singarani Collieries Company Limited that the name of Sri K. Laxma Reddy, the petitioner is not noted in Ex. M6 and his salary particulars were not sent in it, that the Petitioner was not transferred to Singarani Collieries as he was working as casual labourer and so his name is not included in the list in Ex. M6 and that the 2nd Respondent i.e. Singarani Collieries Company Limited has taken all the employees into its service who were transferred by the 1st Respondent on abolition of Coal Mines Labour Welfare Organisation and there is no privity of contract between the Petitioner and the 2nd Respondent.

7. POINT :—The case of the Petitioner workman is that he was appointed under the Coal Mines Labour



Welfare Organisation, Godavari Khani as Watchman w.e.f. 1-4-1977 on daily rated basis. The Coal Mines Labour Welfare Organisation was demobilised w.e.f. 30-9-1986 and the activities of the Welfare Organisation were taken over by the Singareni Collieries Company Limited. Hence the 1st Respondent Organisation was amalgamated with the 2nd Respondent-Company w.e.f. 1-10-1986. As per the orders of the Government of India, the workmen working under the 1st Respondent attached to Singareni Collieries Company Limited were directed to be absorbed by the Singareni Collieries Company Limited and that the petitioner as well as another person my name P. Laxma Reddy son of Thimma Reddy who were working as Watchman on the date of amalgamation were not absorbed in the Singareni Collieries Company Limited. The contention of the Management i.e., the 2nd Respondent-Company is that the workman in dispute Sri K. Laxma Reddy is not the workman of this 2nd Respondent-Company. This is a dispute between the Officer on Special Duty, Ministry of Energy, Department of Coal, Government of India, Kalyan Bhavan, Dhanbad who is the First Respondent herein and the workman in dispute. It is further submitted that if the Petitioner-workman is an employee of the Coal Mines Labour Welfare Organisation, the dispute should be between him and the First Respondent and the reference has to be made to the Industrial Tribunal, Dhanbad but not to the Industrial Tribunal, Hyderabad. It is further the contention of the 2nd Respondent that the Coal Mines Labour Welfare Organisation ceased to exist from 1-10-1986 and that as per letter No. 11021/6/86-CSW dt 22-9-1986 notified its Scheme with regard to abolition of Coal Mines Labour Welfare Organisation and all the regular full time employees of this Organisation will stand transferred to the cadres of the respective coal companies from 1-10-1986 and they have been given various jobs as per the rules and regulations of the concerned coal companies. The Government of India Ministry of Energy, issued a letter No. Adm. 44(4)/86 dated 30-9-1986 giving the number of staff working full time, part-time at Kothagudem, Bellampalli etc. looking after the welfare activities of the 2nd Respondent-Company in various areas, accordingly the personnel whose names were in the list were absorbed in their respective categories in the Company but the name of the Petitioner was not found in the list, hence the Petitioner could not be absorbed in the 2nd Respondent-Company.

8. It is evident from the records available that from 1-10-1986 the Coal Mines Labour Welfare Organisation was amalgamated with the Singareni Collieries Company Limited i.e., the 2nd Respondent-Company and that the Petitioner-workman was not absorbed by the 2nd Respondent-Company but only the regular staff of erstwhile Coal Mines Labour Welfare Organisation were transferred to the Second Respondent-Company as per the Order dt. 22-9-1986 of the Ministry of Energy, Department of Coal, Govt. of India under Ex. M2. There is no dispute about this. Ex.M6 is the copy of the service particulars of the staff transferred from First Respondent to Second Respondent and that the name of the Petitioner was not mentioned in it, since the Petitioner was working as Casual labourer and that the 2nd Respondent Company was right in not absorbing the Petitioner workman into

service of the Company. The argument of the counsel for the Petitioner workman is that some of his juniors namely, Mrs. Kamala, Varahalu, Girishan and Bapu were absorbed by the Second Respondent-Company and that they were casual labourers. Against this contention, the Second Respondent stated in the counter that whatever list was given by the Government of India, the workmen in the list were absorbed in the Coal Companies. It is further stated by the 2nd Respondent that so far as the Petitioner is concerned neither the Government of India nor the First Respondent had not recommended the name of the Petitioner and hence the Petitioner was rightly not absorbed in the Second Respondent Company. If there are any grievances for any workmen of the Coal Mines Labour Welfare Organisation, it is for the First Respondent to redress their grievances and that the second Respondent has nothing to do with the service matter of the Petitioner-workman.

9. In view of the above materials on record, I find that there is no justification by the Petitioner-workman in seeking absorption in the Second Respondent-Company as he was a casual labourer under the First Respondent-Organisation and that the name of the Petitioner was also not found in any of the list of the Orders of the Government of India, Ministry of Energy and that the Second Respondent Company was right in not absorbing the Petitioner-workman in the Company and that there is no dispute between the Petitioner and the Second Respondent-Company. It is for the Petitioner-workman to approach the First Respondent Organisation for any of his grievance since he has worked under the First Respondent-Organisation.

10. In the result, the action of the Management of Coal Mines Labour Welfare Organisation represented by the Officer on Special Duty, Ministry of Energy, Department of Coal, Kalyan Bhavan, Dhanbad in not transferring the services of Sri K. Laxma Reddy, Ex-Watchman to Singareni Collieries Company Limited, Godavari Khani, Dist. Karimnagar and his non-absorption by the SCCL w.e.f. 1-10-1986 is justified. The Petitioner-workman is not entitled to any relief under the facts and circumstances of the case.

Typed to my dictation, given under my hand and seal of this Tribunal, this the 15th day of April, 1993.

Y. VENKATACHALAM, Industrial Tribunal-I

#### Appendix of Evidence

Witnesses Examined for the Workmen :	Witnesses Examined for the Management :
W.W1 K. Laxma Reddy	M.W1 N. S. Murthy

#### Documents marked for the Workmen :

Ex.W1 30-9-86	Photostat copy of the Service Certificate dt. 30-9-86 issued to K. Laxma Reddy by the Junior Engineer, Coal Mines Welfare Works Godavarikhani.
Ex.W2 22-11-87	Photostat copy of the representation dt. 31-5-87 made by

- K. Lama Reddy to the Hon'ble Minister for Labour, Employment & Rehabilitation, Govt. of India, New Delhi with regard to illegal termination of his services.
- Ex.W3 31-5-87 Photostat copy of the representation dt. 31-5-87 made by K. Laxma Reddy, to the Officer on Special Duty, Govt. of India, Jagjivan Nagar, Dhanbad (Bihar), with regard to illegal termination of his services.
- Ex.W4 1-9-87 Photostat copy of the representation dt. 22-11-87 made by K. Laxma Reddy to the Asst. Labour Commissioner (Central), Hyderabad, Hyderabad with regard to alleged illegal termination of his services
- Ex.W5 30-6-88 Photostat copy of the Minutes of Conciliation proceedings held on 30-6-88 between the management of M/s. S.C.Co. Ltd., Ramagundam Area-I, Godavari Khani and Coal Mines Welfare Organisation, Kalyan Bhavan, Dhanbad in the matter of absorption of P. Laxma Reddy and K. Laxma Reddy Ex-Daily rated Watchman, employed by erstwhile Coal Mines Welfare Organisation.
- Ex.W6 22-9-85 Photostat copy of the Family particulars certificate dt. 22-9-85 of K. Laxma Reddy issued by Medical Superintendent, Regional Hospital, Ramagundam.

Documents marked for the Management  
(2nd Respondent)

- Ex.M1 19-9-86 Xerox copy of the Notification No. 11021/1/85-CSW, dt. 19-9-1986 issued by the Joint Secretary to the Government of India, Ministry of Energy, Department of Coal with regard to powers conferred by Sub-Section (2) of Section 1 of the Coal Mines Labour Welfare Fund (Repeal) Act, 1986 (27 of 1986).
- Ex.M2 22-9-86 Xerox copy of the letter No. 11021/6/86-CSW dt. 22-9-1986 addressed by the Director, Govt. of India, Ministry of Energy, Dept. of Coal to the Chairman, Coal India Ltd., Calcutta, The Coal Mines Welfare Commissioner, Dhanbad and the Chairman & M.D.S.C.Co. Ltd., Kothagudem Collieries with regard to Abolition of Coal Mines Labour Welfare Organisation-Transfer of its activities to Coal India Limited.

- Ex.M3 26-7-85 Xerox copy of the letter No. S-21019/4/84-CSW dt. 26-7-1985 addressed by the Director, Govt. of India, Ministry of Steel, Mines & Coal Dept. of Coal to the Coal Mines Welfare Commissioner, Dhanbad with regard to transfer of hospitals etc.
- Ex.M4 27-11-86 Xerox copy of the letter No. EE/Est./II/3(33) 80-389-90 dt. 27-11-86 addressed by the Executive Engineer, Eastern Coal Fields Limited, Asansol to the Director (P) S.C. Co. Ltd., Kothagudem with regard to transfer of Engineering units of Coal Mines & Welfare Works.
- Ex.M5 30-9-86 Xerox copy of the Lettel No. Admn. 12(1)86 dt. 30-9-86 forwarded by the Officer on Special Duty, Government of India to the Director (P) S.C. Co. Ltd., Kothagudem with regard to Re-designation of the post of Coal Mines Labour Welfare Commissioner as an officer on Special Duty.
- Ex.M6 3-10-86 Xerox copy of the Lr. No. Admn. 44(4)85 dt. 3-10-86 addressed by the Asstt. Secretary (Adm) Govt. of India, Ministry of Energy, Dept. of Coal to the General Manager (MP&IG) Coal India Ltd., Calcutta with regard to Staff Strength in the office of the Welfare Administrator, Kothagudem.

Y. VENKATACHALAM, Industrial Tribunal

नई दिल्ली, 4 जून, 1993

का.आ. 1444. —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी एल के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अन्तर्बन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-93 को प्राप्त हुआ था।

संख्या एल-21011/15/87 डी-III(बी)  
राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

S.O. 1444.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal-I Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on 3-6-1993.

[No. L-21011/15/87 D III(B)]  
RAJA LAL, Desk Officer

## ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I  
AT HYDERABAD

## PRESENT :

Sri Y. Venkatachalam, M.A., B.L., Chairman.

Dated the Twentieth day of February Nineteen  
Hundred and Ninety Three.

I.D. No. 32 of 1988

## BETWEEN

The Workmen on S. C. Company Ltd.,  
MM & SMG Group of Mines,

Kalyanikhani, Distt. Adilabad (A.P.)—Petitioner.

## AND

The Management of M/s. S. C. Company Ltd.  
MM & SMG Group of Mines,P. O. Kalyani Khani,  
Dist. Adilabad (A.P.) —Respondent.

## APPEARANCES :

Shri B. Ganga Ram, Chief Vice-President, Central  
Council, S.C.W. Union for the Workmen.M/s. K. Srinivasa Murthy, G. Sudha, A. Vishalakshmi  
and K. Sridhar Rao, Advocates for the Management.

## AWARD

This reference is referred by Government of India, Ministry of Labour vide letter No. L-21011/15/87-D. III(B) dated 23rd March, 1988 for adjudication of the dispute between the Management of M/s. Singareni Collieries Company Limited, MM & SMG Group of Mines and their workmen with the following Annexure :

“Whether the action of the management of M/s. Singareni Collieries Co. Ltd. MM & SMG Group of Mines in not appointing Sri B. Kista Swamy, Danam Kistaiah, Samala Mallesh, V. Maila Reddy, Bashu and Y. Satyanarayana w.e.f. 23-11-81 on permanent basis is justified ?  
If not, to what relief these workmen are entitled ?”

2. The above reference is registered as I. D. No. 32 of 1988 in this Tribunal and notices were sent to both sides. The workman filed Claim Statement wherein they contended that the management of Singareni Collieries is creating big anomalies by refusing to employ the sons of deceased employees died in harness or in mine accidents and medically declare unfit on permanent basis and employing them as badli workers only. In this way the management has been violating the provisions of National Wage Agreements No. II and No. III. Therefore Six workmen in this case who raised this dispute are the sons of employees whose fathers have died while in the service of the company.

They are :

1. B. Kista Swamy S/o late B. Posham.
2. Danam Kistaiah S/o D. Rajamallou.
3. Samala Mallesh S/o late Enkaly.
4. Vemula Malla Reddy S/o late Ram Reddy.
5. Bashu S/o late Raj Mohammad.
6. Y. Satyanarayana S/o Late Banaiiah.

The above six workers who are the sons of employees died in harness but they are appointed as badli workers by order dated 23-11-1981 and inspite of several years of service they are not treated as permanent workers but still they are treated as badli workers only and they are being deprived of all other benefits on par with permanent workers. It is further stated that due to their appointment as badli workers, they are treated temporary workers for years together till they are regularised on permanent basis and they are not provided work daily and they are sent back without providing them employment since they are badli workers. In this way there is no job guarantee to the sons of employees whose fathers have laid their lives serving the coal industry since they are engaged to cover up absenteeism and leave vacancies. It is crystal clear that there is no job guarantee for these sons of employees who have died in harness.

It is further stated by the petitioner that the above action of the management is against the provisions of National Coal Wage Agreement No. II and No. III and the action of the management is not justified and it is against the terms incorporated in National Coal Wage Agreement No. II and No. III. Therefore the very purpose of above clause is defeated.

It is further stated that since they are appointed as Badli workers, they are sent back frequently and it is difficult for them to complete one years' continuous service by putting in 190 musters during 12 months. If badlies put in one year's continuous service, they will become eligible for getting several benefits. Even in the case of badlies putting in one year's continuous service, are also not having job security since they are also being sent back. If such is the condition of badlies putting one year's continuous service, the fate of other badlies is worst than the bonded labourers.

It is further stated that Sri Nalla Madhava Reddy was appointed as badli coal filler in Shanhi Khani on 22-9-1982 and later on he was transferred to Somagudem No. 1 Incline but till September, 1987 i.e. till 5 years he could not be regularised. So also Shri Velpula Prabhakar was appointed as badli worker in KK-5 Incline in 11-5-1983 and later on he was transferred to Smg.3 Incline. He had officiated as timberman for 3-1/2 years but his services were not regularised. Therefore the above examples clearly proved that there are some malpractices in the respondent management and therefore the very purpose of incorporating the said clause in National Coal Wage Agreement No. II and III are defeated. Therefore, they may be appointed on permanent basis.

3. On the other hand the respondent management filed the Counter wherein the management contended that all the material averments of the Claim statement are false and the reference itself is illegal. There cannot be a reference for appointment of persons who are newly recruited. As such a reference is practically

interfere with the Managerial rights of the employers. On this ground alone the reference should be rejected. National Coal Wage Agreement provides for employment of dependents of workers who are disabled permanently or who dies in service. No mention is made that they should be taken as permanent employees over and above others. Normally every new incumbent is taken as Badli. He continues to work as badli, which is an unskilled post, till he puts in 190 musters in a year and apart from that only when there is vacancy he is taken as a permanent employee of the company. The mere fact he has put in 190 musters in a year does not entitle for employment permanently unless there are identified vacancies to absorb a particular individual. The agreement has been understood in the above manner and has been implemented from time to time. It may be mentioned that just because he happens to be the dependent of an employee who has either disable or deceased employee have better right than other persons who are already in service and who are on the rolls of badlis. They cannot over-march on them and especially in matters of this type where certain knowledge of work is required. Here badlis get themselves trained during their service as and when they act in leave vacancy/absenteeism vacancy. So the dependents are taken initially as badlis. It is true that 6 dependents who are appointed in 1982 were made permanent with retrospective effect that is because by mistake which has happened because of misunderstanding of the procedure by the persons incharge at that particular mine.

It is further stated by the respondent in their counter that it may be pointed out that since 1982 on wards thousands of dependents were appointed as Badlis and all of them are continue to be badlis until vacancies had arisen and also they have put in other condition of 190 days of musters in a year. No where they have been made permanent straight away except in one case due to mistake of management. In that particular case they were made straight away permanent and it does not mean that all the thousands of dependents also should be made permanent. In fact management could have been justified in cancelling their appointment and recover back the amounts and due to certain industrial relations problems and also due to the fact management did not wish to recover back the amounts which have already been given to employees, management continued them as permanent employees though it was clearly a mistake and those 6 persons can be singled out, out of more than thousands others.

It is further contended in the Counter that Badlis are taken on leave vacancy/absenteeish vacancy. They continue to be there in that position and particularly most of the badlis work throughout the year as there is heavy absenteeism ranging from 40% to 50% a day. If a person is willing to work as badli he normally puts in 190/240 days musters depending on the place where he is working. It is not correct to state that persons are not provided with work at all but the petitioners herein are very irregular and they do not even come for work and see for any work is available. The 2 claimants attendance is as follows :

	1982	1983
1. B. Kistaswamy	140	136
2. Samala Mallesh	115	46

The respondent admitted that out of six workers in question 4 workers were regularised—3 in 1983 and 1 in 1986 depending on their attendance and availability of vacancies. Therefore the only question with regard to the workmen by name B. Kista Swamy and Samala Mallesh who does not have any merits and petition may be rejected.

4. On behalf of the workman W.W1 and W.W2 are examined and exhibits W1 to W23 are marked. On behalf of the Management M.W1 and M.W2 are examined and exhibits M1 to M89 are marked.

5. The case of the Petitioner is that the Management of Singareni Collieries Company is creating big anomalies by refusing to employ sons of deceased employees who died in harness or in mine accidents and medically declared unfit on permanent basis and employing them as badli workers only and the Management has been violating the provisions of National Wage Agreement Nos. II and III. The six workmen mentioned in the reference raised this dispute are the sons of the employees died in harness but they were appointed as badli workers by order dated 23-11-1981 and inspite of several years of service they were not treated as permanent workers and they were deprived of all other benefits on par with the permanent workmen. The badli worker is a substitute in place of permanent workers engaged on leave and absentee vacancies. If the permanent worker attends duty, the badli worker cannot get job and he is sent back home. In this way there is no job guarantee to these employees.

6. On the other hand the contention of the Management is that the National Coal Wage Agreement provides for employment of dependent of workers who are disabled permanently or who dies in service. No mention is made that they should be taken as permanent employees over and above others. Normally every new incumbent is taken as Badli and if he puts 190/240 days muster in a year, he is taken as permanent employee only if there is permanent vacancy. Badlis get themselves trained during their service as and when they act in leave vacancy/absenteeism vacancy. So dependents are taken initially as Badlies.

7. The learned Representative of the Workers Union in their written argument stated that in certain instances where the dependents of the workers died in harness and declared medically unfit, are provided permanent job as coal filler or general mazdoor on Category I Wages. That Ex. W11 marked on behalf of the Workmen, shows that six dependants of Somagundam 1A Incline, namely, Shaik Imam and five others dependents were appointed on 11-6-1982 as Badli workers instead of permanent coal fillers and later on the Management by their letter dt. 8-9-1984 modified the earlier letter dt. 11-6-1982 and appointed these six workmen as permanent coal fillers from the date of their appointment i.e. w.e.f. 11-6-1982. That Ex. W12 shows that one Kamalakar, dependent of workman, was appointed as Coal filler Ex. W17 is a circular issued by the Management for appointing B. Ralender and P. Satyanarayana, dependents of workmen, were appointed as Coal Fillers. In the evidence of W.W1( he stated that the Management in their

1984	1985	1986	1987	up to 30-6-88
157	132	155	240	71
14	75	19	13	Nil

proceedings dt. 18-3-1988 appointed five female dependents under Ex. W15. In Ex. W15 five female dependents were appointed as General Mazdoors on Category I wages on permanent basis. So also in Ex. W14 three female dependents were appointed as General Mazdoors on Category I wages. W.W1 stated that they were appointed on a temporary basis as Badli workers though they are eligible for appointment on permanent basis as coal fillers. Badli worker is not a permanent worker but he is only a temporary worker. He does not have all the benefits of a permanent worker. The badli worker is not provided with work every day and is not generally given work for ten to twelve days in a month. They got representation made through the Union for an appointment on permanent basis under Ex. W1.

8. On the other hand the Respondent contends in their counter that six dependents who were appointed in 1982 were made permanent with retrospective effect that is because by mistake which has happened because of misunderstanding of the procedure by the persons in charge at that particular Mine. In that particular case they were made straight away permanent and it does not mean that all the thousands of dependents also should be made permanent. Ex. W9 agreement does not mention that dependents of workmen should be given permanent employment. M.W1 states that he appoints the unskilled labourers in the Company who are Badlies. These people are appointed who work as substitutes in case the permanent workers are absent. The absenteeism will be in the range of 35 per cent to 50 per cent on any day. Every Badli must put in 190/240 musters to enable him to qualify himself to be absorbed on permanent basis. They can be appointed only subject to the availability of permanent vacancies even if they put in the required musters 190/240. The national Coal Wage Agreement simply says that the worker dies in harness, his dependent should be provided with the employment, did not say either he should be given permanent employment or he should be given employment ignoring the seniors etc. Normally for the workers who dies in harness or declared medically unfit, his dependent will be given badli post.

9. From the records available, Ex. W9 is the National Coal Wage Agreement II. It does not clearly indicate that the dependant of the worker who dies while in service, should be taken as Badli worker initially and then after completing 190 days musters, he will be made permanent. But as seen from Exs. W11, W12, W14, W15, W17 and W18 all the dependents of the workers died in harness or made medically unfit were appointed on permanent basis right from their joining duty. Considering all the facts and circumstances, I find that the claim of the Petitioner that the six workmen mentioned in the reference are entitled to be made permanent w.e.f. 23-11-1981 till the date they were made permanent.

10. In the result, I hold that the action of the Management of M/s. Singareni Collieries Company Limited, M.M. & SMG Group of Mines in not appointing Sarvasri B. Kista Swamy, Danam Kistiah, Semala Malleesh, V. Malla Reddy, Bashu and Y. Satyanarayana w.e.f. 23-11-1981 on permanent basis is not

justified and they are entitled to all the benefits of a permanent employee.

Award is passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 2nd day of April, 1993.

Y. Venkatachalam, Industrial Tribunal

Appendix of Evidences

Witnesses Examined for

the Workmen :

W.W1 B. Kista Swamy

W.W2 B. Shiva Prasad Raju

Witnesses Examined for

the Management :

M.W1 P.A.V.V.S. Sarma

M.W2 M. Vittal Rao

Documents marked for the Workmen :

Ex.W1|5-5-85—True Copy of the representation dt. 5-5-1985 made by B. Gangaram, Chief Vice President, Central Council, Singareni Collieries Workers' Union, Bellampalli to the General Manager, S. C. Co. Ltd., Bellampalli with regard to rectification of anomaly in appointment of 6 workmen, dependents of deceased and unfit workers of Somagundam No. I A Incline, Bellampalli Division-II.

Ex.W2|29-6-85—Photostat copy of the representation dt. 29-6-85 made by B. Ganga Ram, Chief Vice President, S. C. Workers' Union, Bellampalli, Adilabad to the Asst. Labour Commissioner (C), Mancheri with regard to rectification of anomaly in appointment of 6 workmen dependents of deceased workers and deprivation of them from all benefits in Somagundam No. I A Incline, Bellampalli Division-II.

Ex.W3|22-7-85—Photostat copy of the representation made by Chief Vice President Central Council, Bellampalli, to the Assistant Labour Commissioner (C), Mancheri with regard to rectification of anomaly in appointment of 6 workmen dependents of deceased workers and deprivation of them from all benefits in Somagundam No. I A Incline.

Ex.W4|8-7-85—Photostat copy of the Letter dt. 8-7-85 addressed by Assistant Labour Commissioner (C), Mancheri to B. Ganga Ram Chief Vice President, Central Council, S. C. Workers' Union with regard to rectification of anomaly in the appointment of 6 workmen dependents of deceased workers and deprivation of them from all benefits in Smg. I A Incline.

Ex.W5|20-9-85—Photostat copy of the letter dt. 20-9-85 addressed by Asst. Labour Commissioner (C), Mancheri to the General Manager, S. C. Co. Ltd., MM. Smg. Mines, Adilabad Distt. with regard to rectification of anomaly in the appointment of 6 work-

men dependents of deceased workers and deprivation of them from all benefits in Smg. No. 1A Incline.

- Ex. W6/17-2-1986—True copy of the representation dt. 17-2-1986 made by B. Ganga Ram, Chief Vice President, S. C. Workers' Union to the Asst. Labour Commissioner (C), Mancherial with regard to rectification of anomaly in the appointment of 6 workmen dependents of deceased workers and deprivation of them from all benefits in Smg. 1A Incline.
- Ex. W7/25-3-87—True Copy of the Minutes of Conciliation Proceedings held on 25-3-1987 before the Asst. Labour Commissioner (C), Hyderabad.
- Ex. W8/31-3-87—True copy of the Failure of conciliation report dt. 31-3-87.
- Ex. W9/11-8-79—Photostat copy of the National Coal wage Agreement (11).
- Ex. W10/3-7-83—Photostat copy of the appointment order dt. 3-7-83 of T. Satyanarayana.
- Ex. W11/8-9-84—Photostat copy of the appointment orders dt. 8-9-84 of B. Venkateswarlu and 5 others as coal fillers.
- Ex. W12/23-10-83—Photostat copy of the appointment order dt. 23-10-83 of G. Kamalakr as coal filler.
- Ex. W73/6-8-86—True copy of the Circular dt. 6-8-86 of the Director (personnel) S. P. Co. Ltd., Kothagudem with regard to allotment of quarters to dependent of the employee who died/declared permanently disabled while in service, if provided employment under the provisions of New A-III.
- Ex. W14/10-6-86—Photostat copy of the appointment orders dt. 10-6-86 issued to Smt. Sri-ramoji Veera Laxmi and 2 others.
- Ex. W15/18-3-88—Photostat copy of the appointment orders dt. 18-3-88 issued to Smt. Lekkapatla Lingamma and 4 others.
- Ex. W16/1-4-87—Photostat copy of the letter dt. 1-4-1987 of the Management with regard to appointment of dependants of non-executives dying in harness/Medically unfit—Guidelines.
- Ex. W17/27-6-83—Photostat copy of the letter dt. 27-6-83 addressed to Additional CME, BD, I and Additional C. M. E. BD, II by the General Manager, S. C. Co. Ltd., Bellampalli, with regard to Employment to dependants of those died in Harness/Medically made unfit for further service under N. C. AII.
- Ex. W18/4/9-7-83—Photostat copy of the appointment order dt. 4/9-7-83 issued to P. Satyanarayana by the Additional C. M. E. BD, II, S. C. Co. Ltd.
- Ex. W19/1-12-87—True copy of the representation dt. 1-12-87 made by B. Ganga Ram,

Chief Vice President, Central Council, S. C. Workers' Union, Bellampalli, to the General Manager, S. C. Co. Ltd., MM & Smg. group of Mines, Kalyanikhani with regard to confirmation of V. Prabhakar as timerman.

- Ex. M20/11-7-87—Photosat copy of the letter dt. 11-7-87 of the Dy. Chief Mining Engineer (Agent) Somagudem No. 1&1A Inclines S. C. Co. Ltd., addressed to the Chief Vice-President, S. C. W. Union, Bellampalli, with regard to alleged prolonged delay in confirmation of Nalla Madhava Reddy as coal Filler or timerman in Smg. I Incline.
- Ex. M21/19/20-10-83—Photostat copy of the letter dt. 19/20-10-83 addressed by the Dy. Chief Personnel Manager to Addl. Chief Mining Engineer, Bellampalli II with regard to appoint Sri G. Kamalakr as Coal Filler.

#### Documents marked for the Management :

- Ex. M1/11-3-85—True Copy of the confidential letter dt. 11-3-85 of E. D. B. P. A., to the General Managers M. M. and R. K. P. and B. P. A. with regard to appointments.
- Ex. M2/11-8-79—National Coal Wage Agreement-II (Memorandum of Agreement dated the 11th August, 1979). Extract of page 17—provision of Employment to dependents—10.4.1.
- Ex. M3/26-6-84—Letter with a statement for 'Regularisation of badli workers' addressed by the colliery Manager, Smg. IA to Addl. C. M. E.
- Ex. M4—'H' Register for the year 1984.
- Ex. M5—'H' Register for the year 1985.
- Ex. M6—'H' Register for the year 1986.
- Ex. M7—'H' Register for the year 1987.
- Ex. M8—'H' Register for the year 1988.
- Ex. M9—'H' Register for the year 1989.
- Ex. M10—'C' Register for the month of January 1982.
- Ex. M11—'C' Register for the month of February & March 82.
- Ex. M12—'C' Register for the month of March, 1982.
- Ex. M13—'C' Register for the month of April & May, 1982.
- Ex. M14—'C' Register for the month of June, 1982.
- Ex. M15—'C' Register for the month of June, 1982.
- Ex. M16—'C' Register for the month of June, 1982.
- Ex. M17—'C' Register for the month of August & Sept. 1982.

- Ex. M18—'C' Register for the month of November, 82.
- Ex. M19—'C' Register for the month of December, 1982.
- Ex. M20—'C' Register for the month of March, 1983.
- Ex. M21—'C' Register for the month of April, 1983.
- Ex. M22—'C' Register for the month of May, 1983.
- Ex. M23—'C' Register for the month of June, 1983.
- Ex. M24—'C' Register for the month of September, 1983.
- Ex. M25—'C' Register for the month of November, 1983.
- Ex. M26—'C' Register for the month of January, 1984.
- Ex. M27—'C' Register for the month of January, 1984.
- Ex. M28—'C' Register for the month of February, 1984.
- Ex. M29—'C' Register for the month of February, 1984.
- Ex. M30—'C' Register for the month of March, 1984.
- Ex. M31—'C' Register for the month of March, 1984.
- Ex. M32—'C' Register for the month of April, 1984.
- Ex. M33—'C' Register for the month of April, 1984.
- Ex. M34—'C' Register for the month of April, 1984.
- Ex. M35—'C' Register for the month of June, 1984.
- Ex. M36—'C' Register for the month of July, 1984.
- Ex. M37—'C' Register for the month of July, 1984.
- Ex. M38—'C' Register for the month of July, 1984.
- Ex. M39—'C' Register for the month of August, 1984.
- Ex. M40—'C' Register for the month of August, 1984.
- Ex. M41—'C' Register for the month of September, 1984.
- Ex. M42—'C' Register for the month of October, 1984.
- Ex. M43—'C' Register for the month of November, 1984.
- Ex. M44—'C' Register for the month of December, 1984.
- Ex. M45—'C' Register for the month of December, 1984.
- Ex. M46—'C' Register for the month of March, 1985.
- Ex. M47—'C' Register for the month of May & June, 1985.
- Ex. M48—'C' Register for the month of July, 1987.
- Ex. M49—'C' Register for the month of July, 1987.
- Ex. M50—'C' Register for the month of August, 1987.
- Ex. M51—'C' Register for the month of September, 1987.
- Ex. M52—'C' Register for the month of October, 1987.
- Ex. M53—'C' Register for the month of November, 1987.
- Ex. M54—'C' Register for the month of November, 1987.
- Ex. M55—'C' Register for the month of September, 1987.
- Ex. M56—'C' Register for the month of December, 1987.
- Ex. M57—'C' Register for the month of December, 1987.
- Ex. M58—'C' Register for the month of January, 1988.
- Ex. M59—'C' Register for the month of February, 1988.
- Ex. M60—'C' Register for the month of February, 1988.
- Ex. M61—'C' Register for the month of February, 1988.
- Ex. M62—'C' Register for the month of March, 1988.
- Ex. M63—'C' Register for the month of March, 1988.
- Ex. M64—'C' Register for the month of March, 1988.
- Ex. M65—'C' Register for the month of April, 1988.
- Ex. M66—'C' Register for the month of April, 1988.
- Ex. M67—'C' Register for the month of April, 1988.
- Ex. M68—'C' Register for the month of May, 1988.
- Ex. M69—'C' Register for the month of May, 1988.

- Ex. M70—'C' Register for the month of May, 1988.
- Ex. M71—'C' Register for the month of June, 1988.
- Ex. M72—'C' Register for the month of June, 1988.
- Ex. M73—'C' Register for the month of June, 1988.
- Ex. M74—'C' Register for the month of July, 1988.
- Ex. M75—'C' Register for the month of August, 1988.
- Ex. M76—'C' Register for the month of August, 1988.
- Ex. M77—'C' Register for the month of August, 1988.
- Ex. M78—'C' Register for the month of September, 1988.
- Ex. M79—'C' Register for the month of September, 1988.
- Ex. M80—'C' Register for the month of September, 1988.
- Ex. M81—'C' Register for the month of October, 1988.
- Ex. M82—'C' Register for the month of October, 1988.
- Ex. M83—'C' Register for the month of October, 1988.
- Ex. M84—'C' Register for the month of November, 1988.
- Ex. M85—'C' Register for the month of November, 1988.
- Ex. M85—'C' Register for the month of November, 1988.
- Ex. M86—'C' Register for the month of November, 1988.
- Ex. M87—'C' Register for the month of December, 1988.
- Ex. M88—'C' Register for the month of December, 1988.
- Ex. M89—'C' Register for the month of December, 1988.

Sd/-

INDUSTRIAL TRIBUNAL

नई दिल्ली, 4 जून, 1993

का.प्र. 1445: —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण केन्द्रीय सरकार एस सी सी एल. के प्रबन्धतंत्र के संबन्धित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट

को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-1993 को प्राप्त हुआ था।

[संख्या एल-21011/20/85 डी-III (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

**S.O. 1445.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, I Hyderabad as shown in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on 3-6-1993.**

[No. L-21011/20/85-DIII(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (C)  
AT HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A., B.L.,

Industrial Tribunal.

INDUSTRIAL DISPUTE NO. 29 OF 1987

BETWEEN :

The Workmen of Singareni Collieries Co. Ltd.,  
Kothagudem Collieries, Khammam Dist. A.P.

... Petitioner

AND

The Management of Singareni Collieries Co.  
Ltd., Kothagudem Collieries, Khammam Dist.

... Respondent.

APPEARANCES :

Sarvasri D.S.R. Varma and C. Balajinarayan,  
Advocates for the Workmen/Petitioner.

M/s. K. Srinivasa Murthy, G. Sudha and V. Usha  
Rani, Advocates for the Management/Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-21011/20/85-D.III(B) dt. 23-6-1987 referred the following dispute under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 between the employer in relation to the Management of Singareni Collieries Company Limited, Kothagudem and their workmen to this Tribunal for adjudication :—

"Whether the management of M/s. Singareni Collieries Co. Ltd., Kothagudem Division, P.O. Kothagudem Collieries, Dist. Khammam (A.P.) and justified in denying additional increment while fixation of pay in



category IV in respect of S/Shri M. Malleshham, G. Bikkulal, Galeeb Seb, Eligeti Rajam and A. Laxminarasu, Muccadams, CSP, Kothagudem? If not, to what relief the workmen concerned are entitled?"

This reference was registered as Industrial Dispute No. 29 of 1987 and notices were served on both the parties.

2. The averments of the claims statement filed by the Petitioner read as follows :

S/Sri Matety Malleshham, G. Bikkulal, Galeeb Sab, Eligeti Rajam and A. Laxminarasu are working as Muccadams at Central Screening Plant, Kothagudem Collieries from a long time. They are drawing Cat IV wages. They have represented to the Management for rectification of anomaly and correct fixation of basic pay on par with the other Muccadams working in same department of Central Screening Plant. There was no fruitful result, they approached the Conciliation Officer and finally the conciliation failed. **Sarvasri Matety Malleshham was appointed on 20-9-1952, G. Bikkulal was appointed on 7th August 1961, Galeeb Sab was appointed on 4-1-1948, Eligeti Rajam was appointed on 26-7-1948 and A. Laxminarasu was appointed in 1948 in the Company. They have been promoted as Muccadams during the year 1968 and was placed in Cat. IV wages with effect from 1-7-1979 in accordance with the General Manager (HQ) Circular No. P. 9/3683/3598, dt. 27-9-1979. But while fixing their Cat. IV wages, in their basic pay, the management has not given increment which is quite illegal. As on 31-12-1978 they have drawn basic pay of Rs. 17.78 ps and when they have been promoted to Cat. IV wages they have been placed in basic pay of Rs. 18.28 ps. Shri K. Venkateswarlu was appointed on 7-8-1961. He was a Wagon Shunting Mazdoor. He was promoted as Wagon Shunting Muccadam with effect from 16-8-1980 vide Office Order No. DSK/P.3(a)/2262, dated 13-8-1980 whose wage fixation was done by giving one increment in the promoted category IV wages and fixed basic pay at Rs. 19.34 ps. It is clearly proved that Sarvasri Matety Malleshham and four others who have been placed in the next higher category was not given one increment at the time of wage fixation, as a result they have lost first class LTC entitlement. Hence the five workmen are rightly entitled for increments while fixing basic pay from 1-7-1978. The Management violated the principle of natural justice and therefore appealed to kindly order for sanctioning increments in respect of five workmen in question with retrospective effect.**

3. The averments of the counter filed by the Respondent read as follows :

In fact there is no dispute between the Management and the Workmen referred to in the reference. The workmen have misconstrued the procedure with regard to fixation of wages and categories and they have chosen to raise a dispute through grievance procedure and the Management has explained the actual position. It is submitted that all the five workmen referred to in the dispute are working as Muccadams in the Coal Screening Plant, Kothagudem

and they are in Category No. IV. It may be noticed that whenever a workman is promoted from the lower category to higher category his basic pay is protected in the higher category along with the promotion scale i.e. if the workman has not reached the higher category basic, he will be fixed in the minimum of higher category scale. If the workman is getting more salary in the lower category than the minimum scale of the promoted grade, that basic is protected in higher category. Thus, whenever promotions are effected from lower category to the higher category, basic fixations are done. This procedure was in vogue upto August, 1980.

**The salaries of the employees will be refixed whenever the National Coal Wage Agreement comes into operation. According to Circular No. P. 49/3969/2537 dt. 19-8-1980 the procedure to be followed for fixation of pay of employee promoted from one time scale to higher time scale is as follows :—**

- (i) Where an employee is a lower category/grade is promoted to a Higher category/grade, his pay shall be fixed at the minimum of the higher category/grade, if such minimum is "higher" than his existing pay. In case, **by this method of adjustment, he gets less than one increment in the promoted scale, he shall be given one increment in that scale.**
- (ii) In the event of the existing pay of the employee being higher than the minimum of the scale of pay of the higher category/grade, than, his existing pay should be adjusted into the next higher step in the higher category/grade and he should be given one increment in that scale."

Thus the above circular is not applicable to this case. It is submitted that Sarvasri Mateti Malleshham, G. Bikkulal and Galib Sab were working as Wagon Shunting Muccadams and they were in Cat. II. On promotion, they were placed in Cat. IV w.e.f. 1st July, 1979 in accordance with the Circular No. P. 9/3683/3008 dt. 9th August 1979 and also Minutes dt. 6-8-1979 which are the then existing rules. Now, virtually, these workmen are asking to apply the Circular of 19th August, 1980 to their cases also, which cannot be done. They are not entitled for any increment at the time of promotion. When they are working in Cat. II, the Union has made a demand to show some promotional opportunities for these workmen. With an intention to maintain industrial peace and harmony, the management has agreed to promote them to Cat. IV, which resulted in promoting **them on 1-7-1979. In normal course employees working in Category II have to be promoted to Category III but not to Category IV. As on that date of promotion, the Union as well as the workmen agreed for the promotions given as per the Minutes dated 6th August, 1979 and now once again, they are re-agitating with regard to the said promotions. With regard to the placement of the other workman referred to in the Claim petition, it is submitted as follows :**

- (i) Mr. Eligeti Rajam and Mr. K. Venkateswarlu, who were working as Wagon Shunting Mazdoors in Category II were placed in Category II w.e.f. 1-7-79 in

in accordance with Item No. 2 of the above referred General Manager's Circular No. P. p/3683/3008, dt. 16-8-1979 and minutes of discussions dt. 6th August, 1979.

(ii) Mr. Amanchi Laxminarsu was working as Shale Picking Muccadam in Cat. II and in accordance with General Manager (HQ) Circular

No. P. 9/1683/3598 dt. 27-9-1979, he was placed in Cat. IV w.e.f. 1-7-1979 and this category was allotted as "personnel" to himself. Their basic structures prior to their placement in higher category and consequent upon their placement in higher category in accordance with the Circulars referred to in are clear shown in the following tabulated form :

SM No.	Name of the employee	Basic structures at different periods			
		as on 31-12-78	as on 1-7-79	as on 1-3-80	as on availment of their L.T.C.
					Basic Date of availment of LTC
1.	Mateti Malleshram	12.48 Cat. II Muccadam	18.28 Cat. IV	18.81 Cat. IV	19.87 11-11-82
2.	G. Bikkula	12.48 Cat. II Muccadam	18.28 Cat. IV	18.81 Cat. IV	18.81 20-9-80
3.	Galib Sab	12.48 Cat. II Muccadam	18.28 Cat. IV	18.81	19.87 8-10-82
4.	Elegati Rajam	12.48 W.S. Mazdoor Cat. II	18.03 Cat. III	18.45 Cat. III	19.34* Cat. IV as on 9-2-81 16-3-81
5.	Amanchi Laxminarsu	12.48 Shale Picking Mucca Cat. II	18.28 Cat. IV	18.81 Cat. IV	19.87 10-5-82
6.	K. Venkateswarlu	12.48 W.S. Maz. Cat. II	18.03 Cat. III	18.45 Cat. III	20.40** Cat. IV 13-5-82

(\*) Mr. Elgatti Rajam, W.S. Maz. promoted as W.S. Muccadam with effect from 9-2-1981 as such, he was placed in Cat. IV wages w.e.f. 9-2-1981.

(\*\*) Mr. K. Venkateswarlu, W.S. Maz. promoted as W.S. Muccadams w.e.f. 16-8-80 and as such, he was placed in Cat. IV wages w.e.f. 16-8-80.

It is submitted that the petitioners have no right to compare their cases with the cases of K. Venkateswarlu and Elegati Rajam who were promoted on 16th August, 1980 and 9-2-1981 respectively. As per the L.T.C. Rules, the time-rated workmen are entitled for 1st Class Railway fare, if they got Rs. 20.19 Ps. per day, they have been sanctioned 2nd workmen's basic pay as on the date of availment of L.T.C. was less than the minimum basic i.e. Rs. 20.19 Ps. per day, they have been sanctioned 2nd Class railway fare. In normal course, all these employees should have been posted in Cat. III and not in Cat. IV. Only by virtue of the 6th August, 1979 Minutes, they got Cat. IV basic. They have satisfied with the salaries and the basic pay fixations in the year 1979. Only in the year 1983 first time, they raised the dispute. The Management has fixed their basics in a proper way. So the question of they getting additional increment or any other consequential benefits does not arise and they are not entitled for any re-fixation of their basic pays with retrospective effect, and dismiss the claim petition.

4. The workmen examined two witness as W.W1 and W.W2 on their side and marked Exs.W1 to W4.

Whereas the Management examined one witness as M.W1 and marked Ext.M1 to M6.

5. The brief facts of the case of the Petitioner is that the five workmen mentioned in the reference are working as Muccadams at Central Screening Plant, Kothagudem Collieries from a long time. They are drawing Category IV wages. Sarvasri Matety Malleshram was appointed on 20-9-1952, G. Bikkulal was appointed on 7-8-1961, Galeeb Sab was appointed on 4-1-1948, Elegati Rajam was appointed on 26-7-1978 and A. Laxminarayan was appointed on 1948 in the Company. They have been promoted as Muccadams during the year 1968 and was placed in Category IV Wages w.e.f. 1-7-1979 in accordance with the General Manager(HQ) Circular No. P.9/3683/3598 dt. 27-9-1979. But while fixing their Category IV wages, in their basic pay the management has not given increment which is illegal. Their case is that one Sri K. Venkateswarlu was appointed on 7-8-1961. He was a Wagon Shunting Mazdoor. He was promoted as Wagon Shunting Muccadam w.e.f. 16-8-1980 vide office Order No. DSK/P.3(a)/2262 dt. 13-8-1980, whose wage fixation was done by giving one increment in the promoted

Category IV wages and fixed basic pay at Rs. 19.34 ps., whereas on 31-12-1978 the above-mentioned concerned workmen have drawn basic pay of Rs. 17.78 ps. and when they have been promoted to Category IV wages they have been placed in basic pay of Rs. 18.28 ps. Having come to know the anomaly, they have represented to the Management for rectification of anomaly and correct fixation of basic pay on par with the other Muccadams working in the same department of Central Screening Plant. The Management kept quite and finally the Petitioners approached the Conciliation Officer which ended in failure, hence this reference.

6. The contention of the Management is that the workmen have misconstrued the procedure with regard to fixation of wages and categories and they have chosen to raise a dispute through grievance procedure and the Management has explained the actual position. There is no dispute that the five workmen concerned in this case are working as Muccadams in C.S.P., Kothagudem in Category IV, that the salaries of the employees will be re-fixed whenever the National Coal Wage Agreement comes into operation. According to Circular No. P. 49/3969/2537 dt. 19-8-1980 the procedure to be followed for fixation of pay of employee promoted from one time scale to higher time scale is as follows :

- “(1) Where an employee in a lower category/grade is promoted to a Higher Category/grade, his pay shall be fixed at the minimum of the higher category/grade, if such minimum is ‘higher’ than his existing pay. In case, by this method of adjustment, he gets less than one increment in the promoted scale, he shall be given one increment in that scale.
- (2) In the event of the existing pay of the employee being higher than the minimum of the scale of pay of the higher category/grade then, his existing pay should be adjusted into the next higher step in the higher category/grade and he should be given one increment in that scale.”

The contention of the Management is that the above circular is not applicable to the five concerned workmen in this case. It is also stated that Sarvasri Mateti Mallesham, G. Bikkulal and Galib Sab were working as Wagon Shunting Muccadams and they were in Category II. As per the Circular No. P.9/3683/3008 dt. 9th August, 1978 they were promoted to Category IV w.e.f. 1st July, 1979. Now these workmen are asking to apply the Circular of 19th August, 1980 to their case also, which the Management refused, stating that they are not entitled for any increment at the time of promotion. The Management has fixed their basic in a proper way and the question of their getting additional increment does not arise.

7. The evidence of W.W1 is that from 1961 he has been working in Singareni Collieries Company. First he joined as Wagon Shunting Mazdoor, that in 1979 he was promoted as Muccadam, that he is being paid wages in Category IV. that he gave a representation to the Management saying that his

basic pay is not properly fixed and that his juniors are being paid more than him. The Management did not give him any reply and that they did not rectify the mistake. It is further in the evidence of W.W1 that he knows K. V. Venkateswarlu, who joined the service in 1961, that he got promotion as Muccadam later than him, that he is being paid Rs. 19.34 as daily basic wage, whereas the witness Rs. 18.28 ps. as daily wage basic.

8. The petitioner examined W.W2 who is the Secretary of Singareni Collieries Workers' Union. W.W2 deposed that as per the Circular Ex.W1 dt. 27-9-1979 all these people (concerned workmen) were promoted. W.W2 evidence is that on promotion their pay should be fixed as per Ex.W2 Circular dt. 21-2-1979. As per this one increment will be given in lower post if their is no corresponding scale in higher post then the pay will be fixed at the next higher stage in the promotion post (higher post). Exs.W3 and W4 show that fixation is done in this manner, that in 1980 there was an amendment to Ex.W2 Circular. It is P.49/3969/2537 dt. 19-8-1980. As per their claim, they want fixation to be done as per Ex.W2, that the grievance of workers is that in their case the management did not give them the increment in lower post at the time of promotion pay fixation and the workmen would be entitled to this increment w.e.f. 1-7-1979 the day of their promotion. The Management did not cross examine W.W1 in rebuttal.

9. The Management examined M.W1 M.W1 is the Senior Personnel Officer in the Respondent Company. He states that all the five workmen referred in the dispute are working as Muccadam in Coal Screening Plant, Kothagudem in Category IV, that Ex.M1 dt. 22-2-1977 is the circular for fixation of pay scales on promotion scale. E. Rajam was promoted to Cat. II to III, that similarly Rajam was given one increment in the promoted scale and thereafter fixed in the promoted scale. A new Circular was issued in August 1980 marked as Ex.M2, in regard to fixation of pay on promotion in respect of daily rated and monthly employees covered by N.C.W.A. II. that one K. Venkateswarlu who was promoted from Cat. III to Cat. IV on 16-8-1980, was fixed promotion scale as per Ex.M2, that Ex.M2 is not retrospective. In cross examination of M.W1, he stated that N.C.W.A.II came into effect from 1-1-1979. All the five workmen were promoted as per the Settlement between the Management and the Union but not under N.C.W.A.II. It is stated in the counter that the benefit of the circular dt. 19-8-1982 was given to the worker who were promoted subsequent to the issue of Ex.M2. K. Venkateswarlu was promoted on 16-8-1980 and he was given benefit of Ex.M5 by condoning three days which is a gap period between the date of promotion and the date of issue of circular. It is a mistake in giving the benefit of Ex.M2 to K. Venkateswarlu.

10. From the above evidence, it is clear that Sri K. Venkateswarlu joined service in 1961 and he was promoted as Muccadam later than Sri G. Bikkulal, that he was paid Rs. 19.34 ps. as Daily basic wage and as seen from the claim of the petitioner that K. Venkateswarlu was promoted as Wagon Shunting Muccadam w.e.f. 16-8-1980 vide

Order No. DSK/P.3(a)/2262 dt. 13-8-1980 wage fixation was done by giving one increment in the promoted category IV wages and fixed basic pay at Rs. 19.34 ps. though Ex.M2 dt. 19th August, 1980 came into existence later. It is pertinent to note that as per Ex.M2 Circular whether it comes into force from retrospective effect or prospective effect. It is silent on this aspect. It is also the grievance of the workmen that they have represented to the Management for rectification of anomaly and correct fixation of basic pay on par with the other Muccadams working in same department of Central Screening Plant but there was no result or reply from the Management in this regard.

11. In the circumstances I find that the five workmen concerned should be given additional increment while fixing of pay in Category IV wages from 1-7-1979, and they are entitled for any re-fixation of their basic pays with retrospective effect.

12. In the result, the Management of M/s. Singareni Collieries Company Limited, Kothagudem Division, P.O. Kothagudem Collieries, District Khammam (A.P.) are not justified in denying additional increment while fixation of pay in Category IV in respect of S/Shri M. Mallesham, G. Bikkulal Galib Sah, Eligeti Rajam, and A. Laxminarsu, Muccadams, CSP, Kothagudem and that they are entitled for the additional increment from 1-7-1979.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 7th day of April, 1993.

Y. VENKATACHALAM, Industrial Tribunal  
Appendix of Evidence

Witnesses Examined  
for the Petitioner :  
W/W1 G. Bikkulal  
W/W2 D.A. Nithyananda Rao  
Witnesses Examined  
for the Respondent :  
M.W1 G. Ailaiah

Documents marked for the Petitioner

Ex.W1 True Copy of the Circular No. P9/3683/3598 dt. 27-9-1979 issued by the General Manager, S.C. Co. Ltd., Kothagudem to all Divisional Superintendents of all Collieries with regard to CSP Workers.

Ex. W2 Photostat copy of the letter No. P. 49/3326/834 dt. 21-2-77 addressed to all Pits and Departments of all Collieries by the General Manager, S.C. Co. Ltd., Kothagudem with regard to fixation of pay on promotion.

Ex.W3—Photostat copy of the Circular No. P. 4/3481-B/736 dt. 15-2-1979 issued by the General Manager, S.C. Co. Ltd., Kothagudem to all Pits & Departments of all Collieries with regard to cadre scheme for clerical staff.

Ex.W4—Photostat copy of office order No. P. 4/3481/3386, dt. 2-9-78 issued C. H. Sree-

rama Murthy and 62 others by the General Manager, S.C. Co. Ltd., Kothagudem with regard to Placing them in Grade I.

Documents marked for the Management

Ex.M1—Photostat copy of the letter dt. 22-2-77 of the General Manager, S.C. Co. Ltd., Kothagudem with regard to fixation of pay on promotion.

Ex.M2—Photostat copy of the Circular dt. 19-8-1980 with regard to fixation of pay on promotion in respect of daily rated and monthly rated employees covered by NCWA II.

Ex.M3—Photostat copy of the Minutes of Discussions held on 6-8-79 between the representative of the management and the representative of the workmen.

Ex.M4—Photostat copy of the circular dt. 27-9-79 of the General Manager (HQ) S.C. Co. Ltd., Kothagudem Collieries with regard to CSP workers.

Ex.M5—Photostat copy of the promotion order dt. 13-8-80 issued to K. Venkateswarlu by the Divisional Superintendent, S.C. Co. Ltd., Kothagudem.

Ex.M6—Revised Basic structures at different stage dt. 9-9-1984.

Y. VENKATACHALAM, Industrial Tribunal

नई दिल्ली, 4 जून, 1993

का.आ. 1446.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड कारपोरेशन आफ इंडिया के बन्धुत्व के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-1993 को प्राप्त हुआ था।

[संख्या एल-22012/258/एफ/92-आईआर(सी II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 4th June, 1993

S.O. 1446.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of F.C.I. and their workmen, which was received by the Central Government on 3-6-93.

[No. L-22012/258/F/92/IRC II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT BOMBAY

**PRESENT :**

Justice Shri R. G. Sindhakar, Presiding Officer.

REFERENCE NO. : CGIT-1/70 OF 1992

**PARTIES :**

The Employees in relation to the Management of Food Corporation of India.

**AND**

Their Workmen.

**APPEARANCES :**

For the Employer—Shri Bhaghwani Management's Representative.

For the Workmen—No appearance.

Industry : Food Corporation State : Maharashtra  
Bombay, dated the 24th May, 1993**AWARD**

The following reference has been made to this Tribunal by the Ministry of Labour, Government of India, by its letter dated 23rd November, 1992.

“Whether the action of the Management of Food Corporation of India in relation to its Zonal Claim Cell, Rey Road, Bombay in terminating the services of Shri Mohammad Salahuddin, Asst. Grade-II (M) with effect from 01-03-1988 is justified? If not, to what relief the concerned workman is entitled to?”

Since the receipt of this order of reference by this Tribunal notice directing the parties to appear, and file their say was issued. Management was represented. However, there was no appearance on behalf of the workers' union. The matter came to be adjourned for filing of statement of claim to the 25th day of February 1993, and thereafter to 28th April 1993. On 28th April 1993, Shri Bhaghwani appeared on behalf of the Management, and none appeared on behalf of the Union. Once again a notice was issued to the Union and the same has been duly served. However, today also there is no appearance on behalf of the workmen and no statement of claim has been filed. It is therefore not possible to investigate into the claim of the workman and not possible to hold that the action of the management in terminating the services of Shri Mohammad Salahuddin as unjustified. The later aspect of the reference therefore also will not survive.

Award accordingly, no order as to costs.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 8 जून, 1993

का.प्रा. 1447.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सेंट्रल बैंक आफ इंडिया के प्रबन्धन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण 1383 GI/93—14

नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-6-1993 को प्राप्त हुआ था।

[संख्या एन-12012/226/83-डी-2(ए)]

राजा लाल, डेस्क अधिकारी

New Delhi,, the 8th June, 1993

S.O. 1447.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 7-6-1993.

[No. L-12012/226/83-D.IIA]  
RAJA LAL, Desk Officer.**ANNEXURE**

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 18 of 1984

In the matter of dispute between :

Ram Singh, Daftry-cum-Peon,

represented by the Central Bank Staff Union (Delhi),

Central Bank Bldg., Chandni Chowk, Delhi.

**Versus**

The Chief Manager,  
Central Bank of India,  
Link House,  
4-B. S. Zafar Marg, New Delhi.

**APPEARANCES :**

Shri Tara Chand Gupta for the workman.

Shri D. D. Kapoor for the management.

**AWARD**

The Central Govt. in the Ministry of Labour vide its Order No. L-12012/226/83-D.IIA dated 9-2-1984 has referred the following industrial dispute to this tribunal for adjudication :

“Whether the action of the management of Central Bank of India, Regional Office, New Delhi in relation to their PGDAV Extension Counter, Lajpat Nagar, New Delhi in proposing of to discontinue the payment of Daftry's special allowance to Shri Ram Singh Daftry-cum-peon by displacing him from the post of Daftry-cum-Cash Peon is justified. If not, to what relief is the workman concerned entitled.”

2. A short, but somewhat complicated, point requiring decision in this case relates to entitlement of one Shri Ram Singh, the workman hereinabove, admittedly junior in seniority to Daftri's special allow-

ance payable in banks. Certain facts in respect of the above dispute are clear and there is no serious dispute between the parties over the same. These may be stated at the outset.

3. The Central Bank of India, the Bank for short, opened four extension counters at Lady Harding Hospital and College, Shyam Lal College, Air Force Station and P.G.D.A.V. College in Delhi during the year 1976. At all these extension centres, only one sub-staff was posted for performing the various duties attached to the post of a peon, including work of cash peon and daftri.

4. At P.G.D.A.V. College Extension Centre, to which the above reference pertains, Shri Ram Singh, the workman, was posted as peon with effect from 16-11-1976. He was paid Daftri's special allowance in January, 1980 on pro-rata basis alongwith arrears from 16-11-1976. This payment continued till 31-5-1981, when a tripartite agreement between the Bank and two of its unions was arrived at. In fact, the Bank started paying to the workman Daftri's Special Allowance as on regular basis.

5. Payment of Daftri's Special Allowance to the workman was, however, discontinued from May, 1982 and thereafter the difference in full Daftri's allowance and pro-rata Special Allowance already paid to the workman was also recovered from his salary. This is how the above industrial dispute arose between the parties culminating in the present reference to this Tribunal.

6. Coming now to the points of dispute between the Bank and the workmen regarding the claim of the workman to continued payment of Daftri's Special Allowance on regular basis, the Bank has made the following important points in defence of their action in discontinuing the payment of Daftri's Special Allowance to the workman.

7. The first argument relied upon by the bank as their circular No. CO/PRS/POL/79-128 dated the 6th March, 1979 which inter-alia provided :

"Management has decided to post a permanent Cash-Peon-cum-Daftri at all Extension counters with effect from ..... According to the Bank, the above provision makes it abundantly clear that prior to 1-3-1979, there was no permanent vacancy of cash-peon-cum-Daftri at any extension counter of the Bank and that permanent vacancies of Cash-Peon-cum-Daftri were created by the Bank only after the issuance of the above circular.

8. The second argument of the bank is that according to its promotion policy agreement, a member of the sub-staff is initially appointed as a peon and after he has acquired some experience, say of 7 to 10 years, he is posted as a cash peon. After some more experience, such a sub-staff is posted as Bill Collector and then only as Daftri, after he has gained sufficient experience. According to the Bank, it cannot be construed by any stretch of imagination that a peon can straight-away be posted as Daftri immediately after his appointment in the Bank.

9. The third important argument of the Bank is that to resolve certain complications arising out of previous settlement with one or the other union, a tripartite agreement was reached between the Bank and the two federations of the workmen of the Bank on 30-5-1981. According to the bank, clause (ii) of this Agreement applied to the branches and extension where permanent vacancies of Daftries existed as on 1-4-1978 and if a member of the sub-staff was working temporarily against a post of Daftri, he was to be paid only Daftri's allowance on regular basis.

10. In view of the above arguments, the Bank has contended that the workman was not entitled to payment of Daftri's Allowance on regular basis and discontinuance of the same was just and proper and the Bank has committed neither irregularity or illegality.

11. As against the above, the argument of the work is that his case comes clearly within the purview of clause (i) of the above mentioned tripartite agreement dated 30-5-1981 and, therefore, the Bank had correctly paid him the Daftri's allowance on regular basis and stoppage of the same subsequently in May, 1982 and recovery of the difference in the payment on pro-rata basis and regular basis from his salary was illegal and arbitrary.

12. The next argument of the workman is that the Bank has wrongly applied circular dated 6-3-1979 in his case and that there is a clear difference in a permanent post and posting of a permanent incumbent against the same.

13. According to the workman, the Bank having correctly paid to him Daftri's Special Allowance, had violated Section 9-A of the Industrial Disputes Act, 1947 by unilaterally, and without notice, withdrawing the same and recovering even the alleged excess payment.

14. To appreciate the contentions of the parties, it will be useful to have look at clause (i) of the tripartite agreement dated 30-5-1981. The same is reproduced hereunder :—

"All those sub-staff, who were drawing a special allowance on regular basis or pro-rata basis for working against permanent vacancies as on 1-4-1978 will continue to draw such allowance on regular basis will perform the duties allocable in terms of the allowance at all offices, including extension counters."

15. It is evidence from the above that the workman is right in saying that since he was drawing the Daftri's Special Allowance as on 1-4-1978, he is entitled to receive the same. The only point to be seen is whether he was working against a permanent vacancy as on the above date. The Bank has denied this and argued that permanent posts were and could be created, only after the policy decision was taken and communicated vide Bank's circular dated 6-3-1979, referred to in para 7 above. As against the above, the workman has strenuously argued that he was working at P.G.D.A.V. College Extension counter against a permanent vacancy and that the above circular only related to posting of permanent Daftries and not creation of permanent posts. Since no permanent Daftri was posted at the said exten-

sion counter, he could not be denied payment of Daftri's Special Allowance.

16. After a very careful consideration of the whole matter I am of the view that there is considerable force in the argument of the workman. It is pertinent to note that the Bank paid Daftri's allowance to the workman on its own and even paid him the difference between the pro-rata payment and payment on regular basis and even paid arrears from 16-11-1976, obviously treating him as working against a permanent post. The workman is also right in his argument that the circular dated 6-3-1979 only talked of posting permanent daftries and not about creation of permanent posts. In fact, ordinarily posting of permanent incumbents follows creation of permanent posts. It is evident that the Bank treated the posts of Daftries at the four extension counters of permanent nature and, therefore, issued orders for posting of permanent daftries there. I, therefore do not accept the contention of the Bank that the payment of Daftries special allowance to the workman for nearly six years was an omission or due to any misunderstanding of the instructions. Moreover, the entire emphasis laid by the Bank on the "permanent posts/vacancies" is totally misplaced and runs counter to the principle of equal pay for equal work, which is sanctified by constitutional provisions incorporated in Article 39 of the Constitution of India. The argument of the Bank that their action in withdrawing the payment of regular allowance is founded on the tripartite agreement is also of no avail. It has been held by the Hon. Supreme Court in Mackinnon Aachenzie Co. Ltd. Vs. Audrey D'costa (1987—LIC—961) that a settlement has to yield in favour of the provisions of the Act."

17. It has, therefore, to be held that Shri Ram Singh the workman is entitled to payment of Daftri's Special Allowance from 16-11-1976, when he was posted at P.G.D.A.V. College extension counter, till the date he continues/continued to perform the duties of Cash-Peon-cum-Daftri. The Bank will however be free to post any other Daftri at the said counter on the basis of station wise seniority.

5th May, 1993.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 जून, 1993

का.आ. 1448 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार वक्षिण रेलवे, मद्रास, के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अन्वय में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कोल्लम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-93 को प्राप्त हुआ था।

[सं. एन-41025/7/89 (आई आर-डी यू)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 9th June, 1993

S.O. 1448.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kollam as

shown in the Annexure, in the industrial dispute between the employers in relation to the management of S. Railway, Madras and their workmen, which was received by the Central Government on 4-6-93.

[No. L-41025/7/89-IR (DU)]

B. M. DAVID, Desk Officer

## ANNEXURE

In the Court of the Industrial Tribunal, Kollam  
(Dated, this the 6th day of May, 1993)

PRESENT :

Sri. C. N. Sasidharan, Industrial Tribunal.

IN

INDUSTRIAL DISPUTE NO. 76/90

BETWEEN

Sri. P. Sivan Pillai, Ex-LR ASM/S. Rly., Sree-shylam, Moncombu P. O., Alleppey Dist., Kerala.—

(By Sri. T. C. Govindaswamy, Advocate, Trivandrum)

AND

(1) The General Manager, S. Railway, Madras.

(2) The Sr. Divisional Operating Superintendent, S. Rly., Trivandrum.

(3) The Divisional Railway Manager, S. Railway, Trivandrum.

(By Sri. M. R. Thankappan, Advocate, Trivandrum)

## AWARD

This case was originally registered before the Industrial Tribunal, Madras on a complaint filed by the workman alleging contravention of the provisions of Sec. 33 of the Industrial Disputes Act 1947. Subsequently it was transferred to this Tribunal as per order No. L-41025/7/89-IR(DU) dated 28-2-1990 by the Government of India and registered as I. D. 76/90.

2. In answer to notices issued from this Tribunal both sides entered appearance. The workman was examined in part on 19-3-1992 and thereafter the case stood posted for his cross examination on several dates at the instance of the worker and the management. On 4-3-1993 when it was taken up, both sides remained absent. The case was therefore posted to 1-4-1993 for disposal. On that day also the workman remained absent without any reason what so ever. No adjournment was also sought on behalf of the workman. Hence he was set ex-parte. The representative of the management who was present in court prayed for adjournment due to the illness of the management counsel. The case was therefore posted to 22-4-1993 for ex-parte evidence. On that day the management has filed a petition supported by an affidavit of the management counsel for excusing the absence of management on the last two postings i.e. 31-12-1992 and 4-3-1993. The management has filed another petition also in support of the case of management.

3. In the petition filed by the management it is stated that the claimant in this case is not a 'workman' as defined in the Industrial Disputes Act, that he was dismissed from service for the misconduct of unauthorised absence from duty after conducting a domestic enquiry in which he was found guilty that the transfer of this complaint to this Tribunal is not legal and that he is not entitled to any relief. In the absence of contest I accept the petitions and affidavit filed by the management counsel and hold that the claim deserves only to be dismissed.

4. In view of what is stated above an award is passed holding that the claimant Sri. P. Sivan Pillai is not entitled to any relief.

C. N. SASIDHARAN, Industrial Tribunal

नई दिल्ली, 9 जून, 1993

अधिसूचना

का.आ. 1449—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू.डी., त्रिवेन्द्रम-4 के प्रबन्धन के सदस्य नियोजकों और उनके कर्मचारियों के बीच, अतुल्य में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण कोल्लम के पंचयट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-1993 को प्राप्त हुआ था।

[संख्या एल-42012/97/88-डी-III (बी)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 9th June, 1993

S.O. 1449.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kollam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of C.P.W.D., Trivandrum-4 and their workmen, which was received by the Central Government on 4-6-1993.

[No. L-42012/97/88-D-III(B)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL  
TRIBUNAL, KOLLAM

(Dated, this the 24th day of May, 1993)

PRESENT :

SRI C. N. SASIDHARAN  
INDUSTRIAL TRIBUNAL

IN

Industrial Dispute No. 68/89

BETWEEN

The Executive Engineer, Trivandrum Central Division,  
C.P.W.D., Trivandrum-4

(By Sri P. A. Ahmed, Addl. Central Government  
Standing Council)

(2) The Regional Provident Fund Commissioner,  
Office of the Regional Commissioner, Em-  
ployees Provident Funds, Bhavisanidhi  
Bhavan, P. B. No. 1016, Pattom, Trivan-  
drum.

(By Sri V. S. Bhasurendran Nair, Advocate, Trivan-  
drum)

AND

Smt. C. Balamma, Kaliyikkal Macle Kuzhivila  
Veedu, Mary Land Studio Road, Nemom  
P. O., Trivandrum-21.

(By Sri. S. Balachandran, Advocate, Trivandrum)

REVISED AWARD

The Government of India as per Order No. L-42012/97/88-D-III(B) dated 24-7-1989 have referred this industrial dispute for adjudicating the following issue :

"Whether one of the two agencies viz. CPWD authorities rep. by the Executive Engineer, Trivandrum Central Division, Trivandrum who engaged her services as a part-time sweeper and EPF Organisation rep. by the Regional Provident Fund Commissioner, who utilised her services as a part-time sweeper as the actual employer of Smt. Balamma, part-time sweeper employed to clean the stair case and surroundings of Employees Provident Fund Quarters at Trivandrum during the period from October 1984 to Nov. 1987 and whether the action on the part of her employer, who so ever may be considered her employer, in terminating her services w.e.f. Nov. 1987 is justified ? If not, to what relief the workman is entitled to ?"

2. The workman Smt. Balamma has stated in her claim statement that she belongs to a poor scheduled caste community. Her case is briefly as below : She was appointed as a part-time sweeper by the Executive Engineer, CPWD., Trivandrum, the first management and joined duty on 23-3-1983. She was attached to the staff quarters of the Regional Provident Fund Commissioner, Trivandrum the second management as per instructions from first management. Accordingly she was attending to the sweeping work at the staff quarters without interruption. Though she was appointed only as a part time sweeper her work involved more hours of work than a full time sweeper. After completion of one year period as part-time sweeper she was entitled to be absorbed as NMR worker on full time basis. She was receiving her wages from the first management @ Rs. 275 PM initially and subsequently revised as Rs. 350. Her service with effect from 1-12-1987 without any reason, while doing so first management terminated her service with effect from 1-12-1987 without any reason. The termination according to her is illegal, irregular and unsustainable. She was not given notice before such termination of service and no compensation was also paid. In her place another sweeper was appointed and the sweeping work is still available. The action of management is a case of victimisation. Her further case is that her termination of service is as a retaliation.



tion for representing that she may be absorbed as a full time sweeper as several persons appointed after her date of appointment had been given such benefit. First management is the principal employer and second management is the immediate employer hence any of these managements is liable to reinstate her in service. According to her she is entitled to be reinstated in service with all benefits.

3. The case of first management is briefly as below: The first management has stated in the reply statement that the claim of the workman is not maintainable as she is not a workman as defined under Industrial Disputes Act. As per the request of the second management the first management engaged the workman as part-time sweeper to clean the common staircase and surroundings of the quarters of second management with effect from 30-8-1984. She was not engaged from the roll of Employment Exchange. The maintenance of campus of second management was taken over by first management on 1984. The workman was receiving allowance @ Rs. 250. She was only a part-time sweeper. By letter dated 18-11-1987 the first management informed the second management that the cleaning and sweeping is the duty to be looked after by the claimant department. The cleaning and sweeping work was discontinued by the first management. The first management did not appoint or engage anybody as sweeper for cleaning the quarters of second management. The first management is not the employer and this management did not terminate the service of the alleged workman. She has received the allowance for the work she has done. The first management did not engage anybody in the place of alleged workman. As there is no termination by the first management they are not liable to reinstate the alleged workman in their service.

4. The case of second management is briefly as below: The workman was engaged by the first management and as per instructions of that management she was sweeping the common staircase and surroundings of staff quarters of this management. There is no provision for appointment of NMR workers in the service of second management and the second management is not bound to absorb the workman in service. The workman was reported to be engaged by the first management and payments were made by that management. It is the duty of the first management to arrange the above work. The first management by letter dated 18-11-1987 brought to the notice of second management that cleaning and sweeping is a duty to be looked after by the claimant department and residents of the campus. It was also requested that second management had to take necessary arrangements to employ a sweeper for cleaning and that the first management were going to dispense with the present sweeper. This makes it clear that the workman was employed by the first management and dispensed with her services. Second management has not employed and not terminated the service of the workman. This management is not liable to reinstate her in service. As per the general instructions from the Central Provident Fund Commissioner the maintenance work of office building and staff quarters of second management at Trivandrum has been entrusted to the first management as a deposit work. The first management appointed a sweeper to clean the campus and Regional Provident Fund Staff Quarters as part of this arrangement only. After getting the 1383 GI 93—15

letter dated 18-11-1987 from first management the second management recruited a person through the Employment Exchange. According to the second management they are not in any way liable to reinstate the workman in their service or pay any reliefs.

5. The evidence consists of the deposition of the workman as WW1 and Exts. W1 on her side. The Asst. Engineer of first management was examined as MW1 and Exts. M1 to M8 have been marked on the side of first management. The Head Clerk of second management was examined as MW2 and Exts. M9 to M16 have also been marked on their side.

6. After considering the contentions and connected records and the evidence adduced by the parties this Tribunal by award dated 11-11-1991 found that the worker Smt. Balamma is not entitled to any relief. That award was challenged by the worker before the Central Administrative Tribunal (CAT for short) by filing O.A. No. 227/92. As per judgment dated 14-1-1993 CAT set aside the award passed by this Tribunal and remanded the matter to this Tribunal for determining the issues under reference afresh. That is how this matter is now before this Tribunal. After remand parties have not adduced any evidence but only argued the matter.

7. The directions made by CAT as per paragraph 5 of the judgment mentioned above is as under :

5. "In the result, the impugned award of the Industrial Tribunal dated 11-11-1991 at Annexure V is set aside and the matter is remanded to the 4th respondent for passing a fresh award on the basis that the 2nd respondent is the employer of the applicant and determining the issues referred to it in accordance with law in the light of the observations made in the foregoing paragraphs. Since the matter is a long pending dispute regarding termination of the services of a poor part-time employee, we hope that the Industrial Tribunal, Kollam will endeavour to dispose of the matter as expeditiously as possible."

8. The CAT as per the above judgment has found that first management was the employer of the worker. In the light of the judgment of CAT the questions which this Tribunal has to decide are :—

- (i) whether the termination of services of the worker was justified or not and
- (ii) if the termination of the services of the worker is not justified, to what relief the applicant is entitled to.

9. MW1, the Asst. Engineer of the first management, has admitted before this Tribunal that the worker was appointed by first management and she was paid from their office. It is also stated by MW1 that the worker was denied employment after sending Ext. M4 letter dated 18-11-1987 to the second management to employ a sweeper from their side. It is also admitted that the worker was not given any notice before terminating her services. Ext. M4 is a letter addressed to the second management from first management to employ a sweeper to clean the office and residential areas of second management in the

place of the worker who was employed for that purpose by the first management. It is further stated in Ext. M4 that the first management was going to dispense with the worker. Ext. M7 is office copy of letter dated 30-4-1988 issued by the Executive Engineer of first management at Trivandrum to the Director General of first management in New Delhi. In paragraph 6 of Ext. M7 it is stated that the Asst. Engineer of first management Trivandrum discontinued the service of the worker from 1-12-1987 onwards. Admittedly no notice was given to the worker before terminating her service by the first management who had employed her. The worker admittedly continued as part time sweeper with effect from 30-8-1984 to 1-12-1987 and paid wages by the first management. The management has no case that the worker has not worked there continuously. She was admittedly not given any compensation also. The action of first management in terminating the service of the worker who was employed there for more than three years without any notice and compensation is a clear case of violation of the statutory provisions prescribed under Sec. 25F of the Industrial Disputes Act 1947 and also of the principles of natural justice. The termination of service of the worker by first management is therefore highly illegal, unjust and liable to be quashed. The worker is accordingly entitled to be reinstated in the service of first management.

10. The learned counsel for the worker would contend that though the worker was employed as part time sweeper she had worked as a full time employee and therefore she is entitled to get wages in the pay scales of regularly employed workman. Reliance was also placed on a decision of the Supreme Court in *Daily R. C. Labour P&T Department V. Union of India* (AIR 87 SC 2342). At the outset I may state that there is no concrete evidence before this Tribunal to show that the worker had worked as a full time or regular employee. There is also no evidence to show that during the service of three years with the first management she has made any request also for permanency or payment of salary/wages payable to a regular employee. In the absence of any such concrete evidence, the present claim cannot be entertained. The decision of the Supreme Court mentioned above has also no application there because in that case the question considered was denial of minimum pay to casual labourers employed in the post of regular employees. However my above finding will not preclude the worker from requesting the first management for getting permanency and payment of salary payable to permanent employee if she is otherwise eligible.

11. In the result, an award is passed holding that the Executive Engineer, Trivandrum Central Division, CPWD was the actual employer of Smt. C. Balamma and that her services were illegally terminated which is unjustified. Smt. Balamma is accordingly entitled to get reinstatement in the service of first management with backwages and all other attendant benefits.

C. N. SASIDHARAN, Industrial Tribunal

#### APPENDIX

Witness examined on the side of the Workman

WW1. Smt. C. Balamma

Witnesses examined on the side of the Management

MW1. Sri R. Sivanarayanan

MW2. Sri N. Gopinathan Nair

Documents marked on the side of the Management

Ext. M1. Photocopy of letter issued to the first management from the second management on 26-4-1984

Ext. M2. Office copy of letter addressed to the first management from the Superintending Engineer of first management on 27-8-1982

Ext. M3. Letter issued to the Asst. Engineer of first management from second management on 12-4-1984

Ext. M4. Letter issued to the second management from the first management on 18-11-1987

Ext. M5. Letter issued to the second management from the first management on 12-9-84

Ext. M6. Photocopy of page 29 of CPWD Manual

Ext. M7. Photocopy of letter issued to the Director General (Works) CPWD, New Delhi from the first management on 30-4-1988

Ext. M8. Photocopy of letter issued to second management from the first management on 29-10-1983

Ext. M9. Letter issued to Asst. Engineer of first management from second management on 12-7-1984

Ext. M10. Photocopy of letter issued to second management from Asst. Engineer of first management on 12-9-1984

Ext. M11. Photocopy of letter issued to second management from Asst. Engineer of first management on 18-11-1987

Ext. M12. Certificate issued to Smt. Balamma from Asst. Engineer of the first management

Ext. M13. Photocopy of appointment letter issued to one Sri. Sivaraman from the second management dated 18-2-1988

Ext. M14. Photocopy of letter issued to second management from the first management on 25-7-1985

Ext. M15. Photocopy of letter issued to second management from the first management on 19-7-1988

Ext. M16. Photocopy of letter issued to first management from the second management on 30-6-1989

Document Marked on the side of the Workman

Ext. W1. Certificate issued to Smt. Balamma from the Asst. Engineer of first management.

नई दिल्ली, 11 जून 1993

का.प्र. 1450 — प्रौद्योगिक विवाद अधिनियम,  
1947 (1947 का 14) की धारा 17 के अनुसूचन में,

केन्द्रीय सरकार राजपत्रका आदेश दिये गये हैं के प्रवर्धन के मंत्रालय नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-6-1993 को प्राप्त हुआ था।

[संख्या एल-29011/17/86-डी-III (बी)]

श्री. एम. डेविड, डेस्क अधिकारी

New Delhi, the 11th June, 1993

S.O. 1450.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Rajanka Lime Stone Mines and their workmen which was received by the Central Government on 9-6-1993.

[No. L-29011/17/86-D.III(B)]

B. M. DAVID, Desk Officer.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 78 of 1987

PARTIES :

Employers in relation to the management of Rajanka Lime Stone Mines of M/s. A.C.C. Ltd. At & P.O. Jhinkpani Distt. Singhbhum and their workmen.

APPEARANCES :

On behalf of the workmen—Shri R. S. Murthy, Advocate.

On behalf of the employers—None.

STATE : Bihar INDUSTRY : Limestone

Dhanbad, Dated, the 31st May, 1993

#### AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29011/17/86-D.III(B) dated, the 12th January, 1987.

#### SCHEDULE

“Whether the demand of the workmen of Rajanka Lime Stone Mine of M/s. A.C.C. Ltd., Jhinkpani, Distt. Singhbhum for compensatory holiday with wages in addition to payment of double the wages for working on Festival holidays including National holidays is justified? If so, to

what benefits are they entitled and from which date?”

2. The reference is pending disposal since 1988. It appears that the parties had also submitted their W.S. but before the hearing of the case a petition of compromise was filed only on 30-4-1993 duly signed by the General Secretary, Chaibasa Cement Mazdoor Union (INTUC), Vice President, Chaibasa Cement Mazdoor Union (INTUC) and the Branch Secretary, Chaibasa Cement Mazdoor Union (INTUC). Shri R. S. Murthy, learned counsel for the workmen filed the petition requesting the court for passing ‘No dispute’ Award in view of the compromise arrived at between the parties. In the petition it has been stated that the management and the union have been negotiating the matter directly and the management has assured that they will sympathetically consider the matter and settle the dispute amicably. In view of the above fact and also keeping in view of the fact that the case may not proceed unnecessarily the union decided that a ‘No dispute’ award should be passed subject to the condition that if the matter is not amicably settled by the management the union will have the right to raise the dispute afresh later on. Accordingly the workmen/union prayed that the case be disposed of accordingly. In view of this petition I find no reason as to why this case should be lingered unnecessarily for an indefinite period. In the circumstances, a ‘No dispute’ Award is passed.

B. RAM, Presiding Officer.

नई दिल्ली, 11 जून, 1993

का.प्रा. 1451. —केन्द्रीय सरकार को यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उपखण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 47 दिनांक 11 दिसम्बर, 1992 द्वारा क्षेत्रीय ग्रामीण बैंक अधिनियम 1976 की धारा 3 के अन्तर्गत स्थापित क्षेत्रीय ग्रामीण बैंक द्वारा चलाए जा रहे बैंकिंग उद्योग को उक्त अधिनियम के प्रयोजनार्थ 13 दिसम्बर, 1992 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उपखण्ड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनार्थ 13 जून, 1993 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/2/85 डी-1(ए)]

एस.एस. पराशर, अवसर सचिव

New Delhi, the 11th June, 1993

S.O. 1451.—Whereas the Central Government having been satisfied that the public interest so requi-

red, had, in pursuance of the provision of sub-clause (vi) of clause (n) of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No 47 dated the 11th December, 1992 the Banking Industry as carried on by a regional rural bank established under Section 3 of the Regional Rural Banks Act, 1976, to be a public utility service for the purpose of the said Act, for a period of six months from the 13th December, 1992;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 23rd June, 1993.

[No. S-11017/2/85-D.I(A)]

S. S. PRASHER, Under Secy.

नई दिल्ली, 11 जून, 1993

का.आ. 1452. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ मैसूर के प्रबन्धन के संबंध में निम्नलिखित निर्णयों और उनके कार्यकारी के बीच, संबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय, बंगलूर, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-6-93 को प्राप्त हुआ था।

[संख्या एल-12012/75/91. आई आर (बी III)]

एस.के. जैन, डेस्क अधिकारी

New Delhi, the 11th June, 1993

S.O. 1452.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-Cum-Labour Court, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Mysore and their workmen, which was received by the Central Government on the 10-6-1993.

[No. L-12012/75/91 IR (BII)]

S. K. JAIN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL  
TRIBUNAL CUM-LABOUR COURT,  
BANGALORE

Dated this 31st day of May 1993

PRESENT :

Shri M. B. Vishwanath, B.Sc., B.L.

Presiding Officer

CENTRAL REF. No. 24/91

I Party

The Secretary,

State Bank, of Mysore,  
Employees' Union.

Bangalore Branch,  
Avenue Road,  
Bangalore-560001.

V/s.

II Party

The Managing Director,  
State Bank of Mysore,  
K. G. Road,  
Bangalore-560009.

#### AWARD

In this reference made by the Hon'ble Central Government by its order No L-12012/75/91-IR(B, III) Dt. 29-4-91 under Sec. 10 (2A) (1) (d) of I. D. Act the point for adjudication as per schedule to reference is :—

"Whether the action of the management of State Bank of Mysore is justified in dismissing the services of Shri M Sreedhara Rao, Peon, Cooton Pet branch w.e.f. 12-1-85 ? If not, to what relief the concerned employee is entitled?"

2. The case of the I party workman is that he joined the services of the II party in the year 1979 as a Peon. The I party workman was wrongfully dismissed from service w.e.f. 12-1-85 and at the material time, the I party workman was getting a salary of Rs. 653.65 ps. per month.

3. The I party workman was served with the charge sheet as per Ex. W.4. As per the charge sheet the allegations of charges against the I party workman are :

(a) On 10-9-82 the I party workman received a sum of Rs. 200 for remittance to the S. B. Account No. 1/27 of C. Venkatesh. The I party workman misappropriated the said amount without remitting it to the account of Venkatesh. Further the I party workman made an entry in his own hand-writing in the pass book of the account holder Venkatesh which amounts to tampering of records resulting in possible financial claim against the II party.

(b) The I party workman, on 13-9-82 surreptitiously destroyed the cash voucher for Rs. 200 in respect of S. B. A/c. No. 275 in the name of Smt. Jaylakshamma and substituted another voucher as though the amount was credited by one C. Venkatesh to the S. B. A/c. No. 1/27 of Venkatesh.

4. The II party held the D.E. against the I party workman. One Shivaprasad was appointed as Enquiry Officer. The E.O. submitted the report that the charges were proved. The Regional Manager (Disciplinary Authority) agreed with the findings of the E.O. and ordered dismissal of the I party workman. The I party workman was dismissed w.e.f. 12-1-85.

5. In the claim statement it is stated that the D.E. held against I party workman is illegal and that the I party workman has not committed any misconduct. He had no intention to misappropriate any amount or causing loss to the Bank.

6. In the counter statement it is contended that the D.E. held against the I party is fair and proper. It is contended that the I party has confessed the misconduct committed by him. It is stated that in view of the nature of misconduct the punishment of dismissal is appropriate and proportionate (wrongly stated as dis-proportionate) to the misconduct.

7. On 14-11-91 the preliminary issue "whether the II party proves that it has held the D.E. against the I party workman in accordance with principles of natural justice and Law" has been framed.

8. On the preliminary issue M.W. 1 has been examined on behalf of the II party and Exs. M. 1 to M. 13 have been marked.

9. Subsequently the I party has filed the memo that he contends that the D.E. was fair and proper. After filing the memo the I party has got himself examined to get documents Exs. W. 1 to W. 4 marked.

10. From what is stated above it is clear that the I party has conceded that the D.E. held was fair and proper. So the case was posted for arguments on perversity or otherwise of the findings of the report submitted by the E.O. and adequacy or otherwise of the punishment imposed on the I party workman.

11. Zerox copy of the enquiry report has been produced at the time of arguments. I have gone through the enquiry report. The E.O. has discussed entire evidence and documents. BEX 11 before the D.E. (Ex. M. 15 before this Tribunal) is the letter dated 28-8-82 given by the I party workman to the Manager of the Bank. In this document, it is obvious, the I party has admitted having committed the misconduct alleged against him. In the written brief submitted by the D.R. it is stated that "this was the only time he (I party) was a bit negligent". It was argued by the learned counsel for the I party that the findings of the E.O. in the report submitted by him were perverse. Bearing in mind that the E.O. has discussed the entire material and that the I party had admitted his guilt and that no arguments were addressed by the Learned counsel for the I party I hold that there is no perversity in the report giving the findings holding that the charges were proved.

12. It is vehemently argued by the Learned counsel for the I party the punishment of dismissal imposed on the I party workman is harsh and disproportionate to the gravity of the charges against the I party workman. It is argued by the Learned counsel for the II party that the II party is a banking institution and the employee cannot misappropriate or mis-use public funds because public are expected to have confidence in the banking institutions.

13. At the outset it should be noted that the I party workman has very soon after the discovery of the mischief committed by him made good the amount. He has stated this in his evidence. Thus the II party has not sustained any loss. I have set out above the charges against the I party workman. There is no much magnitude in the charges against the I party. There is material on record (please see the written brief of D.R.) to show that the account holder C. Venkatesh, having confidence in the I party workman, was in the habit of sending remittances to be deposited to his account through I party workman.

This means that fundamental mistake lies with the account holder in having exposed the I party workman to temptation.

14. The I party workman W.W.1 is 32 years old. He is young. He had worked for about 5 years under II party. It is argued by the Learned counsel for the II party that the I party workman has destroyed the challan of the account holder Jayalakshamma and that I party is a schemer and that he had done the misconduct after pre-meditation and that he does not deserve any sympathy. He argued that the punishment imposed was proportionate to the gravity of the offence. I have already stated that the Bank has not suffered any loss and, though the nature of misconduct is grave, there is not much gravity in the offence. The Bank has not sustained any loss.

15. It has been laid down by the Supreme Court in AIR 1989 S.C. 149 (Scooter India Ltd., Lucknow v/s. Labour Court, Lucknow) that though disciplinary enquiry is found to be fair and lawful and its findings were not vitiated in any manner, that by itself would not be a ground for non-interference of the order of termination of service. The Supreme Court has been pleased to lay down in this authority that the erring workman should be given an opportunity to reform himself and prove to be loyal and disciplined employee. In view of the law laid down by the Hon'ble Supreme Court I am of opinion that the I party workman who was a peon should be given an opportunity to reform himself.

16. Ex. W.1 is the zerox copy of the charge sheet issued to one K. S. Raghavan, clerk in the II party. As per the charge sheet Ex. W.1 the said official Raghavan committed forgery by signing as Smt. Leela, one of the joint account holder of Reinvestment deposit, in the demand loan documents and put through a demand loan of Rs. 18,000. The proceeds of the loan were fraudulently withdrawn by Raghavan through the S. B. account opened in the fictitious names of Ramanathan and Leela. This official who had committed forgery of one of the joint account holder of reinvestment deposit and had fraudulently withdrawn Rs. 18,000 through the S. B. account opened in the fictitious names was found not guilty by the E.O. The Disciplinary Authority disagreed with the findings of the E.O. and found that the CSE (Raghavan) had committed alleged acts of misconduct. He issued show-cause notice proposing the punishment of dismissal. He heard the CSE and ordered dismissal of the CSE Raghavan. Against this order the CSE filed appeal to the Appellate Authority (Zonal Manager). The Appellate Authority in his order Ex. W.2 observed that "The enquiry officer has found that the CSE has occasioned financial loss of Rs. 25,000 to the bank. Though the order of the DA does not merit for interference in this appeal, however considering the past records of the CSE, his young age, the remaining service of the CSE in the Bank and applying the reformative theory and assurance given for remittance of the financial loss, I am constrained to modify the orders of the DA without disturbing the finding on the fact of commission of misconduct." The Appellate Authority ordered reinstatement of the CSE, though four future increments were stopped. He ordered that the CSE should be reinstated after he remitted the quantified loss of Rs. 25,000.

17. In the para above, I have referred to the lenient view taken by the II party in a case involving financial loss of Rs. 25,000, even though it had not been made good by the CSE at the time of D.E. or earlier. Though amount involved was heavy the CSE was reinstated applying the reformatory theory. In the present case the amount involved is just Rs. 200 and the II party workman has made good this amount. The present case is a better case bearing in mind the Law laid down by the Supreme Court referred to above to apply the "reformatory theory".

18. It is argued by the Learned counsel for the II party that in the instant case there was pre-mediation on the part of I party and in the case as per Ex. W.1 (Raghavan) there was no pre-mediation. I have stated above the contents of the charge sheet issued to the official Raghavan. If there was pre-mediation on the part of I party workman, the misconduct of Raghavan went one better than that of present I party workman.

19. For the aforesaid reasons, I am of opinion, the punishment of dismissal imposed on the I party workman is very harsh and disproportionate to the gravity of the offence. The I party workman should be given an opportunity to reform himself.

#### ORDER

The order of the II party dismissing the I party workman from service w.e.f. 12-1-85 is set aside. The II party is directed to reinstate the I party workman forthwith with continuity of service. The II party shall pay to the I party workman 50 per cent of the back wages. Award passed accepting the reference as stated herein.

Submit to Government.

M. B. VISHWANATH, Presiding Officer

31-5-93

"Copy"

नई दिल्ली, 15 जून, 1993

का.प्र. 1453.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट, औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, एवं श्रम न्यायालय, चंडीगढ़ के पंचाद को प्रकाशित करती है जो केन्द्रीय सरकार को 11-6-93 को प्राप्त हुआ था।

[संख्या एल-12012/286/91 आई.आर. (बी-III)]

एस.के. जैन, डेस्क अधिकारी

New Delhi, the 15th June, 1993

S.O. 1453.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on the 11th June, 1993.

[L-12012/286/91-IR(B.II)]

S. K. JAIN, Desk Officer

#### ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT.

CHANDIGARH

Case No. I.D. 188/91

Roshan Lal Vs. State Bank of India  
For the Workman.—None.

For the management.—Shri S. L. Gupta.

#### AWARD

Central Govt. vide Gazette notification No. L-12012/286/91/IR(B)3 dated 16th December, 1991 issued U/s 10(1)(d) of the I.D. Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of State Bank of India in relation to their CSD Faridabad branch in terminating the services of Shri Roshan Lal, son of Shri Deep Chand w.e.f. 31-8-1988 is justified? If not, to what relief the workman is entitled to?"

2. In the statement of claim it has been alleged that he was recruited in banks service on 27-9-1987 at circle stationery department, Faridabad. He worked up to 30-8-1988 without break for 339 days. His services were terminated w.e.f. 31-8-1988 in violation of provisions of Section 25-F of the I.D. Act. It is further alleged that management has violated their own rules contained in reference book. It is further alleged that his termination is illegal and void and he is entitled for reinstatement with full back wages and continuity of service and other benefits.

3. The management contested this claim. The plea in the written statement was taken that he was engaged for 63 days from time to time from 5-10-1987 to 19-12-1987 @Rs. 15.50 per day wages. The petitioner was never recruited as an employee of the Bank. He used to be called as and when need arose. It was denied that he worked till 31-8-1988. He worked till 19-12-1987 only and prayed for the dismissal of the reference.

4. Number of registered notices were issued to the petitioner. He did not put up appearance. The management was asked to adduce their evidence. The management produced Mr. H. C. Sarin AGM as MW1 who filed his affidavit Ex. M1 in evidence. He also relied on documents Ex. M2 to M5 and close their case.

I have perused the affidavit and documents. From the affidavit Ext. M1 of the witness it shows that the petitioner was engaged as casual labourer on 5-10-87 to 9-12-1987 at the wage of Rs. 15.50 per day. The petitioner had worked only for 63 days. Ex. M3 is the detail of number of days put in by the workman which indicates that from 5-10-1987 to 19-12-1987 he has only put in 63 days. Ex. M3 and M4 are the vouchers of the payment made to the petitioner which also support the case of the respdt. management showing that he has only put in only 63 days. As apparent from the evidence of the management he never worked up to 31-8-1988 as alleged by the petitioner in his statement of claim and in the term of reference

preceeding 12 calendar months from 19-12-1987 certainly he has not completed 240 days and thus the management has not violated the provisions of Section 25-B of the I.D. Act, 1947 for not paying the retrenchment compensation and pay in lieu of notice. Thus there is no merit in this reference and the same is dismissed and returned to the Ministry.

Chandigarh

ARVIND KUMAR, Presiding Officer

नई दिल्ली, 7 जून, 1993

का.प्रा. 1454 --औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विशाखापटनम पोर्ट-ट्रस्ट, विशाखापटनम, के प्रबन्धनत्व में संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नम्बर-1; हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-6-93 को प्राप्त हुआ था।

[संख्या एल-34012/9/87-डी. IV (ए)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 7th June, 1993

S.S. 1454.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal No. 1, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Vishakhapatnam Port Trust, Visakhapatnam and their workmen, which was received by the Central Government on 4-6-93.

(No. L-34012/9/87-D. IV(A)  
B. M. DAVID, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT  
HYDERABAD

PRESENT :

Sri Y. Venkatachalam, M.A.B.L., Industrial  
Tribunal.

Dated, the 22nd, May, 1993

INDUSTRIAL DISPUTE NO. 8 OF 1988

BETWEEN :

The Workmen of Visakhapatnam Port Trust,  
Visakhapatnam—Petitioner.

AND

The Management of Visakhapatnam Port Trust,  
Visakhapatnam—Respondent.

APPEARANCES :

Sarvasri P. B. Vijayakumar, M. Satyanarayana  
and P. Ravi Prasad Varma, Advocates for  
the Petitioner-Workmen.

M/s. K. Srinivasa Murthy, G. Sudha and A.  
Visalakshmi, Advocates for the Respondent-  
Management.

#### AWARD

The Government of India, Ministry of Labour, by its Order No. L-34012/9/87-D. IV(A) dt. 6-1-1988 referred the following dispute under Section 10(1)(d) & (2A) of the Industrial Disputes Act, 1947 between the employer in relation to the Management of Visakhapatnam Port Trust, Vizag and their Workmen to this Tribunal for adjudication :

"Whether the action of the management of Visakhapatnam Port Trust in dismissing the services of Sri Surisetty Perraju Fireman Gr. II on the charge of lending money and insubordination under Regulations 13(4) and (3) of V. P. E. (Conduct) Regulations, 1964, is justified? If not, to what relief the said workman is entitled to?"

This reference was registered as Industrial Dispute No. 8 of 1988. Notices were given to both the parties.

2. The brief averments of the claim statement filed by the Petitioner-workmen read as follows :

The workman is an employee and had been appointed by the Management in 1969 and ever since he has been rendering service to this organisation. Subsequently he was charge sheeted on 24-8-1984 by the Respondent herein on the ground that the workmen and recorded the statement of his own even withnam Port Trust Employees Conduct Regulations 1964 and ever since then he was rendering service to the utmost satisfaction of the superiors. The allegation is that he has involved in money lending transaction. The workmen herein was a sick person and was mentally unsound during that period and he was admittedly joined in Government Hospital for mental care, Visakhapatnam on 10-7-1984 and he was there for one month as an inpatient and subsequently for two more months as an out-patient and he was under medical guidance of the Superintendent, Mental Care Hospital till 11-11-1984. The above referred charge sheet appears to have been served on 24-8-1984 in pursuance of the said charge sheet, an Enquiry Officer was appointed and the said Enquiry Officer in collusion with the other officers has totally misled the workmen and recorded the statement of his own even without examining the witnesses or complying the procedure of formalities during enquiry. The said enquiry report is bad, arbitrary and is prepared with connivance of the Presenting Officer. The Enquiry Officer without giving proper opportunity to the workmen conducted the enquiry against principles of natural justice and the entire report was vitiated for want of evidence. The Enquiry Officer has mislead the workmen and recorded his statement improperly and obtained the signature. Such an act of Enquiry Officer is highly deplorable and also reprehensible. The Disciplinary Authority even without satisfying independently has passed the order of removal from service. The documents are also not supplied and Sri B. Krishna Rao and Sri Kasul Naidu has conspired together and has involved the workmen herein with mala fide intention of creating hardship to him. The Workman had nothing to do with the said charge and he was never in the habit of doing any money lending business either personally or through his wife. There is absolutely no evidence to show that he has transacted such a



business and no persons were examined in order to prove the said charge. In view of the mental unsoundness the statements recorded from the workman and its value are highly doubtful. The fact of this sickness is also well within knowledge of the Respondent and they should have relied upon an independent evidence rather than accepting the versions which are recorded by the Enquiry Officer most conveniently in order to suit to his report. The punishment accorded is not in consonance with the misconduct alleged to have been committed. The workman is nothing to do with the charge and the said charge is very vague and the entire enquiry is vitiated for the reasons that the principles of natural justice is not followed. The workman referred the matter for conciliation under the Industrial Disputes Act but the conciliation failed, the Labour Commissioner has referred the matter to the Central Government with its failure report and the Government has referred the matter to the Industrial Tribunal for adjudication. The workman and the Respondent belong to Visakhapatnam and all his witnesses are also at Visakhapatnam and for the safe convenience and in order to obviate the hardships, he has already moved the Central Government to transfer this case to Industrial Tribunal-cum-Labour Court, Visakhapatnam. In view of his mental derailment for that temporary period he has lost all the papers and on production of the domestic enquiry before the Court, the workman reserves his right to file additional claim statement setting out further grounds. Therefore, the order of removal of the Respondent-Management against the workman may be set aside as it is bad in law and reinstatement may be ordered with full back wages, continuity of service, with all other attendant benefits.

3. On the other hand, the Respondent-Management filed counter, wherein it is contended that the allegations made in para 1 of the claim statement that the Petitioner-workman was working as Fireman Grade II was issued a charge sheet for imposing major penalty on the following charges "Article of Charge-I : Sri S. Perraju, Fireman Grade II is in the habit of lending money for interest to his colleagues and also acting as a mediator and arranging loans to them through his wife. Article of Charge-II : Sri S. Perraju, Fireman Grade II in his petition dt. 26-9-1983 requested the Fire & Assistant Safety Officer to help him in realising some amounts from Sarvasri B. Kasulu Naidu, Fireman Grade-I, Bokan Krishna Rao, Sub-Officer and Modu Appa Rao, Leading Fireman. On a reference made by the F&ASO, the Personnel Officer of Marine Department required Sri S. Perraju to submit his statement in his presence after enquiring the case, the circumstances that lead to the case. The employee appeared before the P. O. (M) on 20-2-84 but left the premises abruptly refusing to answer the P.O.s queries. In order to give him another opportunity on another occasion, he was called for the chambers of the P.O.(M) on 21-4-1984 and asked for a statement as to what had prompted him to send the petition and the contents of the petition. But on that day also the employee left the premises abruptly refusing to answer the P.O.s queries. As a responsible employee of the Port Trust, The workman should not have involved himself in money lending transactions. Therefore Perraju, Fireman Grade-II has contravened Regulation 13(4) of Visakhapatnam Port Employees, (Conduct) Regulations, 1964 and is liable for discipli-

inary action. In order to give reasonable opportunity to the workman enquiry was ordered by the Disciplinary Authority. During the enquiry the Petitioner workman admitted the charge levelled against him basing on the documents shown to him by the Enquiry Officer. Since he did not deny the charges, the Enquiry Officer concluded his findings that the charges levelled against the delinquent were proved. The Petitioner-workman submitted in writing to the effect that he used to mediate the transaction of money lending business charging exorbitant rates of interest from his co-employees. Further he wanted to utilise the good offices of F&ASO to his pecuniary benefits. In view of this, the allegation by the workman that no proper opportunity was given to him and the Enquiry Officer without giving proper opportunity to the workman conducted the enquiry against the principles of natural justice and the entire report is vitiated for want of evidence, is denied. It is also denied that the Enquiry Officer has misled the workman and recorded his statement improperly and obtained his signature. The allegation that he made his statements due to mental unsoundness during the enquiry is a blatant lie and an after-thought to gain the sympathy of the Hon'ble Court. It is also not correct to state that the punishment imposed is not excessive when compared to the offence committed by him. As a public servant he should not have indulged in money lending business and was also carrying on the business in the duty spot by attempting to get help of his superiors which is quite unbecoming of him. The petitioner, workman submitted an appeal to the Appellate Authority viz., Chairman, Visakhapatnam Port Trust and after careful consideration, the Chairman confirmed the punishment imposed on him by the Disciplinary Authority. Without prejudice to the rights of the Respondent, it is respectfully submitted that in view of the allegations that the enquiry was not conducted properly, this Hon'ble Tribunal may be pleased to decide the validity of domestic enquiry as preliminary issue and if for any reason of this Tribunal comes to the conclusion that the enquiry was not conducted properly, the Management may be permitted to prove the charges in the Court by leading evidence. The petitioner is not entitled either for back wages, continuity of service and all other attendant benefits as claimed by him. The Hon'ble Tribunal may be pleased to dismiss the claim petition which has no merits.

4. For the Workmen, no oral evidence was adduced and marked Exs. W1 to W3 only. Whereas the Respondent-Management has examined M.W1 to M.W3 and marked Exs. M1 only.

5. The point for adjudication is whether the action of the Management of Visakhapatnam Port Trust in dismissing the services of Sri Surisetty Perraju Fireman Grade II on the charge of lending money and insubordination under Regulations 13(4) and (3) of V. P. E.(Conduct) Regulations, 1964 ?

6. M.W1 is one Sri C. Rama Rao, who is working as Senior Hydrographic Surveyor in Visakhapatnam Port Trust (Marine Department). He was appointed as Enquiry Officer against the disciplinary action initiated against Perraju who was then working as Fireman Grade II and Ex. M1 is entire enquiry file. Running 1 to 24 pages including Appeal proceedings



and order of the Appellate Authority and proceedings conducted in the enquiry. Perraju participated in the enquiry. He followed the regular enquiry proceeding and explained the charges framed. He also showed all the relevant documents to the delinquent employee. The delinquent admitted the charges. After explaining the charges in Telugu, he asked him whether he wishes to represent his case by any co-worker, and the delinquent stated before him that he is not engaging any co-worker to represent his case and that he would represent case—because the delinquent admitted his guilt for the charges framed against him, he felt no need to examine any witness. It is not correct to say that he was appointed by the Management in collusion with the other officers. It is not correct to say that he misled the delinquent and recorded the plea of the delinquent.

7. M.W2 is one Sri P. Nageshwar Rao who is working as Personnel Officer in the Port Trust, Visakhapatnam since 19 years. He deposed that he knows S. Perraju the concerned worker of this industrial dispute. He was working in Marine Department in the Port Trust. He further deposed that Perraju's main duties are prevention of fire and putting out fire if any. (The lawyer for the Management is trying to elicit evidence with regard to the allegation made in the charge sheet. The lawyer appearing for the Union opposed on the ground that at this stage of the preliminary enquiry with regard to the validity of the domestic enquiry, the Management cannot be permitted to adduce evidence with regard to the correctness of the findings of the enquiry officer. The advocate for the Management could not cite any authorisation with regard to the question, whether such evidence can be adduced at this stage. In this matter, he conducted the preliminary enquiry as Personnel Officer prior to issuing charge sheet. He sent for the worker and he turned only after he wrote five or six letters. In Ex. M2 there is a letter dt. 26-9-1983 written by the workman himself and due to that he started his preliminary enquiry. He examined three persons B. Krishna Rao, A. Appa Rao and B. Kasulanaidu. They gave statements in Ex. M2 dt. 20-2-1984 and 9-7-1984. They are working in the Fire Station and co-workmen of Perraju. In Ex. M2 he also wrote in the preliminary enquiry proceedings. On 21-4-1984 finally Perraju turned up and he told him that he gave loans in the name of his wife. When he asked to sign the statement to that effect, he refused and left. Hence wrote down the proceedings and signed. One Achut Rao, Sir. Assistant as also present at that time and he also signed the statement. After this date charge sheet was issued.

8. M. W3 is one Sri Atchuyuta Rao. He is working as Senior Assistant for the last 13 years, and he knows M. W2. He deposed that he was present on 21-4-1984 when M. W2 enquired Perraju and Perraju was present there at that time. Before M. W2 the workman admitted that he lent some amounts and M. W2 asked to file a statement, got up and went away. Then proceedings were got typed and he also signed the proceeding along with M. W2 as a witness.

9. At the very outset, I would like to mention that my predecessor has passed a preliminary order dt. 13-1-1992 holding that the domestic enquiry con-

ducted by the Respondent-Management is not violated as contended by the Petitioner.

10. Now the only point or crux of the matter is whether the dismissal order passed by the Respondent-Management is valid and in accordance with law.

11. Regulations 13(4) and (3) of Visakhapatnam Port Employees (Conduct) Regulations, 1964 read as follows :

"No employee shall accept with the previous sanction of the Board lend money to any person possessing land or valuable property, within the local limits of his authority or at interest to any person."

On the above Regulation, the Workman has been charge sheeted for the contravention of lending money and in-subordination. This Tribunal has to see whether the contravention has been violated or not.

12. The V. P. E. (Conduct) Regulations, 1964 Article 1, Sub-Regulation 3 second proviso read as follows :

"Provided that nothing in Sub-Regulation (3) of Regulation 3, Sub-Regulations (2) and (3) of Regulation 4, Regulations 9, 11, Sub-Regulation (3) of Regulation 12, Regulations 13, Sub-Regulations (1), (2) and (3) of Regulations 15, Regulations 16, 17 and 18 shall apply to an employee drawing a pay not exceeding Rs. 1679.00 per mensem and holding a Cl. III or Class IV post."

The above Regulation applies to the persons who is drawing a pay not exceeding Rs. 1,679.00 per mensem and holding a Cl-III or Class-IV posts. As seen from Exs. W1 to W3, the Pay Certificate filed by the Petitioner-workman for all the three months, i.e., February, 1985, March 1985 and April 1985, his pay was Rs. 1041.33 ps, Rs. 1058.07 and Rs. 927.55 ps respectively.

12. The point for consideration is whether the said Regulation of 13(4) of V. P. E. (Conduct) Regulations, 1964 applies to the Petitioner-workman or not. As seen from the Regulations 13(4) read with Article 1, Sub-Regulation second proviso, I am of the clear opinion that this Regulation clearly stipulates that this is not applicable to the Petitioner-Workman drawing pay not exceeding Rs. 1,679.00 per mensem and holding a Cl. III or Class IV. Admittedly as seen from Ex. W1 to W3 the pay of the Petitioner-Workman was below Rs. 1,679.00 in all the three months and he is not holding Class I or Class II post. He is only a Fireman Grade II in Marine Department. The Order passed by the Respondent-Management is not in consonance with the Regulations of V. P. E. (Conduct) Regulations, 1964. On a consideration of the evidence, facts and circumstances of the case, I am clearly of the view that the Petitioner-workman has not violated Rule 13(4) of Visakhapatnam Port Trust Employees (Conduct) Regulations, 1964, and Rule 13(4) does not apply to the Petitioner-Workman. Hence the Petitioner-Workman is entitled to reinstatement with back wages, continuity of service and all other attendant benefits.

13. In the result, the action of the Management of Visakhapatnam Port Trust in dismissing the services of Sri Surisetty Perraju, Fireman Grade II on the charge of lending money and insubordination under Regulations 13(4) and (3) of V. P. E. (Conduct) Regulations, 1964 is not justified. The Petitioner-workman is entitled to be reinstated into service with full back wages, continuity of service and all other attendant benefits.

Award passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 22nd day of May, 1993.

Y. VENKATACHALAM, Industrial Tribunal-I.

#### Appendix of Evidence

Witnesses Examined for  
the Petitioner-Workman :

NIL.

Witnesses Examined for  
the Respondent-Management :

M.W1 C. Rama Rao

M.W2 P. Nageshwar Rao

M.W3 Atchuta Rao.

Documents marked for the Petitioner-Workmen :

Ex. W1 Salary Certificate of the Workman for April, 1985.

Ex. W2 Salary Certificate of the Workman for March, 1985.

Ex. W3 Salary Certificate of the workman for February, 1985.

Documents marked for the Respondent-Management :

Ex. M1 Entire domestic enquiry file pertaining to Surisetty Perraju.

नई दिल्ली. 16 जून. 1993

अधिसूचना

का.आ. 1455 —कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा 1-7-1993 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 [धारा-76 की उपधारा (1) और धारा —78, 77, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध केरल राज्य के निम्न-लिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“जिला श्रीवतननथापुरम के तालुक नेयट्टीनकारा में राजस्व ग्राम मारानालुर के अन्तर्गत आने वाले क्षेत्र” ।

[संख्या एस-38013/9/93-एसएम-1]

जे.पी. शुकला, अवर सचिव

New Delhi, the 16th June, 1993

S.O. 1455.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 1993 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala namely :—

“The areas within the Revenue Village of Maranallur in Neyattinkara taluk of Thiruvananthapuram District.”

[No. S-38013/9/93-SS. I]

J. P. SHUKLA, Under Secy.